

250-RICR-60-00-1

## TITLE 250 – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

### CHAPTER 60 – FISH AND WILDLIFE

#### SUBCHAPTER 00 – N/A

#### PART 1 – Rules and Regulations Governing Wildlife Rehabilitation

### 1.1 Purpose

~~The proper care of orphaned and/or injured wildlife requires special knowledge and facilities not possessed by the general public. Specially trained individuals, collectively called Wildlife Rehabilitators, provide for the care of injured and orphaned wildlife so that such wildlife may be returned to the wild. The purpose of these regulations is to establish the standards under which such wildlife rehabilitators may be permitted to temporarily possess wildlife protected by the Department under R.I. Gen. Laws Chapter 20-1, in order to provide necessary aid.~~

The proper care of sick, orphaned, displaced, or injured wild animals requires special knowledge, skills and facilities not possessed by the general public. Specially trained individuals, collectively called wildlife rehabilitators provide for the care of injured, sick, and orphaned wildlife with the goal of returning them to the wild. The purpose of these Regulations is to establish the standards under which wildlife rehabilitators may be permitted to temporarily possess wildlife protected by the Department under R.I. Gen. Laws Chapter 20-1, and to ensure the safety and welfare of those animals under their care as well as the health and safety of themselves and the general public.

### 1.2 Authority

These Rules and Regulations are adopted pursuant to authority vested in the Director pursuant to R.I. Gen. Laws Chapters 42-17.1, 42-17.6; R.I. Gen. Laws §§ 20-1-4, 20-1-18, 20-1-22, 20-37-3 and in accordance with the requirements of the Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.

### 1.3 Application

The terms and provisions of these Rules and Regulations shall be liberally construed to permit the Department to effectuate the purposes of State law, Regulations, and policies.

## 1.4 Incorporated Materials

- A. These Regulations hereby adopt and incorporate 50 C.F.R. § 17.11 (2017) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these Regulations.
- B. These Regulations hereby adopt and incorporate 50 C.F.R. § 17.12 (2016) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these Regulations.
- C. These Regulations hereby adopt and incorporate the "AVMA Guidelines for the Euthanasia of Animals" (2013 Edition) published by the American Veterinary Medical Association, by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these Regulations.
- D. These Regulations hereby adopt and incorporate the "Minimum Standards for Wildlife Rehabilitation" (2012) published by the US National Wildlife Rehabilitation Association and the International Wildlife Rehabilitation Council, by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these Regulations.

## 1.5 Definitions

- A. Wherever used in these Rules and Regulations the following terms shall be construed as follows:
  - 1. "Department" or "DEM" means the Rhode Island Department of Environmental Management.
  - 2. "Director" means the Director of the Rhode Island Department of Environmental Management, or his/her duly authorized agent or agents.
  - 3. "Division" means the Division of Fish & Wildlife of the Rhode Island Department of Environmental Management so-called in the R.I. Gen. Laws; ~~and called Fish and Wildlife (F&W) in regulations.~~
  - 4. "DOH" or "RIDOH" means the Rhode Island Department of Health.
  - 45. "Endangered species" means those species of animals designated as threatened or endangered according to the U.S. Fish and Wildlife Service as published in 50 C.F.R. § 17.11, incorporated above at § 1.4(A) of this Part, and 50 C.F.R. § 17.12, incorporated above at § 1.4(B) of this Part.

56. "Euthanasia" means the humane destruction of an animal accomplished by a method that involves instantaneous loss of consciousness followed immediately by death or by a method that involves anesthesia produced by an agent which causes painless and rapid loss of consciousness and death during that period of unconsciousness. ~~All methods of euthanasia must comply with Rhode Island General Laws.~~
67. "Exotic animals" or "Exotic Wild Animals" means animals not occurring naturally, either presently or historically, within the boundaries of the State of Rhode Island, ~~including, but not limited to: Mute Swans, Monk-Parakeets, Mudpuppies, and Red-eared sliders.~~
8. "Exposure" means the possible exposure to the rabies virus via a direct bite or scratch, which results in a break in the skin of the victim or contact between infectious material such as saliva or central nervous system tissue and fluid with mucosa of the eye, nose, or mouth, or via an existing break in the skin.
79. "Fish and Wildlife" or "F&WDFW" means the Division of Fish and Wildlife of the Rhode Island Department of Environmental Management, Program of DEM's Office of Natural Resources, formerly referred to as the Division.
810. "IWRC" means the International Wildlife Rehabilitation Council.
911. "Native wildlife", "Native Animal", or "Native Wild Animal" means all species of animals, including all subspecies thereof, occurring naturally, either presently or historically, within the boundaries of the State of Rhode Island.
102. "Permittee" means the person who holds a valid Special Scientific Collectors Permit to rehabilitate wildlife in Rhode Island § 1.5(A)(22) of this Part, "Wildlife Rehabilitator".
143. "Person" means any individual, partnership, firm, joint stock, company, corporation, association, trust, estate, municipality, or other government entity or other legal entity.
14. "Possess" or "Possession" shall mean to exercise dominion or control over a wild animal at any point starting from the point at which a decision is made to capture, import, purchase, breed, keep, accept, or otherwise manage an animal and lasting up to its ultimate disposition.
15. "RVS" or "Rabies vector species" shall mean those animals considered common hosts of the rabies virus and for the purposes of these Regulations shall mean: raccoon (*Procyon lotor*), striped skunk (*Mephitis*

mephitis), red fox (*Vulpes vulpes*), gray fox (*Urocyon cinereoargenteus*), woodchuck (*Marmota monax*), and all species of bats (*Chiroptera spp.*), and any other mammal as may otherwise be determined by the State Rabies Board.

126. "Sponsor" means a person previously permitted as a Level II rehabilitator, agreeing to assist between one (1) and three (3) Level I apprentices, according to the guidelines adopted in the sponsor packet, as provided.
137. "Sharps" shall means instruments Sharps that have been used in animal or human patient care of treatment, including instrumentssharps generated from the preparation of human and animal remains for burial or cremation, or in medical, research, or industrial laboratories, including, but not limited to, hypodermic needles, syringes with or without the attached needle, pasteur pipettes, scalpel blades, blood vials, needles with attached tubing, glass carpules, and glass culture dishes regardless of presence of infectious agents. Also included are other types of broken or unbroken glassware that have been used in animal or human patient care or treatment, such as used slides and cover slips. For the purpose of these Regulations, disposable syringes and needles are considered regulated medical waste after one (1) use.
18. "Small mammals" for the purposes of these fRegulations shall mean all native terrestrial mammals except: beaver (*Castor canadensis*), black bear (*Ursus americanus*), bobcat (*Lynx rufus*), coyote (*Canis latrans*), fisher (*Pekania pennanti*), gray fox (*Urocyon cinereoargenteus*), moose (*Alces alces*), porcupine (*Erethizon dorsatum*), raccoon (*Procyon lotor*), red fox (*Vulpes vulpes*), river otter (*Lontra canadensis*), striped skunk (*Mephitis mephitis*), white-tailed deer (*Odocoileus virginianus*), woodchuck (*Marmota monax*), and all bats (*Chiroptera spp.*).
19. "Sponsor" means any person currently permitted as a Level 2, 2 X, or 2 V rehabilitator, agreeing to assist no more than three (3) Level 1 apprentices, and no more than five (5) sub-permittees in accordance with these Regulations.
1420. "State list" means currently listed wildlife species requiring a permit for handling.
4521. "State manual" means the most current wildlife rehabilitation manual prepared by the Division of Fish & Wildlife.
22. "State wildlife rehabilitation manual" means the most current wildlife rehabilitation manual prepared by the Division of Fish & Wildlife.

- ~~16~~23. "Sub-permittee" means person(s) authorized by the Division of Fish and Wildlife to assist currently licensed Level 2, 2 X, 2 V wildlife rehabilitators with the rehabilitation of wildlife in accordance with these Regulations.~~with the rehabilitation of wildlife under the authority of a Level II licensee's permit.~~
24. "Supervision" means the oversight and management of the activities of a sub-permittee by the permittee occurring primarily onsite and at a rehabilitation facility but may include periods of indirect oversight of activities conducted independently by the sub-permittee.
- ~~17~~25. "Transporter" means persons authorized to transport wildlife to licensed wildlife rehabilitators.
- ~~18~~26. "Vector species" or "Rabies vector species" means those species that are the most common wildlife carriers of rabies including raccoons, skunks, bats, woodchucks and foxes.
27. "Wild animal" shall mean any animal other than a domestic animal and includes those animals that may be defined as exotic or native wild animals.
- ~~19~~28. "Wildlife rehabilitation" means the practice of providing care for injured, orphaned, displaced, or diseased indigenous wild animals ~~or sick wildlife~~ including their capture, transport, housing, feeding, and emergency treatment for the primary purpose of release back into the wild.
209. "Wildlife rehabilitator" or "Permittee" means persons who holds a valid Special Scientific Collectors Permit to rehabilitate wildlife in Rhode Island.~~receiving a special purpose scientific collectors' permit pursuant to these Rules and Regulations.~~
30. "Wildlife Rehabilitators Association of Rhode Island" or "WRARI" shall mean the Rhode Island-based, non-profit organization and the affiliated Wildlife Clinic of Rhode Island.

## 1.6 Severability

If any provision of these Rules and Regulations, or application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, the validity of the remainder of the Rules and Regulations shall not be affected thereby.

## 1.7 Violations

- A. Any violation pursuant to the provisions of R.I. Gen. Laws Title 20 and the Rules and Regulations herein, either by a permittee or a sub-permittee working under said permittee may be cause for imposing penalties in accordance with the provisions of the above-mentioned statute, removal of wild animals in their possession regulated species, as well as revocation of existing wildlife rehabilitation permit(s) of both the sub-permittee and responsible permittee.
- B. Special Purpose Scientific Collector Permits for Wildlife Rehabilitation may be terminated by the Director for any of the following reasons:
1. The Wildlife Rehabilitator has ceased to meet appropriate eligibility requirements for appointment as set forth in these Regulations.
  2. The Wildlife Rehabilitator has failed to perform duties as provided for or required in these Regulations.
  3. The Level 1 Apprentice Wildlife Rehabilitator or sub-permittee does not meet criteria on evaluation form and or is no longer endorsed by their designated sponsors.
  4. The Wildlife Rehabilitator has ceased to have an approved wildlife rehabilitation facility available for permittee's use.
  5. ~~In cases where a permit is terminated, the Director, in his/her discretion, may impose a period of probation, recertification and testing, and/or reduce the level of permit, or reinstate the permit. The loss of, or inability to obtain veterinary cooperation from a Rhode Island licensed veterinarian as required.~~

## 1.8 Appeal and Hearing Procedures Superseded Rules and Regulations

On the effective date of these Rules and Regulations, all previous Rules and Regulations and any policies regarding the administration and enforcement of wildlife rehabilitators shall be superseded. However, any enforcement action taken by, or application submitted to, the Department prior to the effective date of these Rules and Regulations shall be governed by the Rules and Regulations in effect at the time the enforcement action or application filed.

## 1.9 Appeal and Hearing Procedures

- A. Opportunity for Hearing

1. Denials – Any person whose application for a permit, permit renewal, or other approval, has been denied by the permitting agency, acting through Fish and Wildlife, may appeal to the Administrative Adjudication Division, for review of the decision on which the denial is based.
2. Violations – Any person who has been issued a notice of violation of any of the provisions of these Rules, may request a hearing from the Administrative Adjudication Division, subject to the provisions of R.I. Gen. Laws § 42-17.1-2(u).
3. Hearings and Administrative Procedure – Pursuant to the authority granted to the Department in R.I. Gen. Laws § 42-17.7-9:
  - a. Any person who seeks an adjudicatory hearing in order to contest an enforcement action which alleges violation(s) of these Rules and Regulations must file said request in writing with the clerk of Administrative Adjudication Division, 235 Promenade Street, 3rd Floor, Providence, Rhode Island, 02908 within twenty (20) days of receipt of the contested agency enforcement action.
  - b. Any person who seeks an adjudicatory hearing relative to the denial of a permit or sub-permit arising under these Rules and Regulations must file said request in writing with the clerk of Administrative Adjudication Division, 235 Promenade Street, 3rd Floor, Providence, Rhode Island 02908 within thirty (30) calendar days of receipt of the contested agency action.

### **1.10 General Requirements and Special Conditions**

- A. No person shall rehabilitate, handle, possess, transport, or release for purposes of rehabilitation any wildlife, except as provided in §§ 1.10(B), (E) and (N) of this Part, without first obtaining a Special Scientific Collector's permit for Wildlife Rehabilitation from the Department.
- B. Persons may transport birds, reptiles, amphibians, and non-rabies vector species mammals from their property or other location directly to a Rhode Island-licensed wildlife rehabilitator, provided that they notify a wildlife rehabilitator at the time they take possession of the animal and that if circumstances are such that the animal(s) cannot be transported immediately to the wildlife rehabilitator, are not to be kept in their possession for more than twenty-four (24) hours.
- C. Wild animals shall not be transported into or out of Rhode Island without prior notification and approval of the Division, or, if outside normal business hours, the



DEM Division of Law Enforcement, and in accordance with applicable Federal or State law including, but not limited to the Federal Lacey Act, 50 C.F.R. Part 20.

- D. Wild animals held under this permit shall not be owned, offered for sale, purchased, bartered, tamed, neutered, exhibited, or used for propagation purposes. Images of wild animals held for wildlife rehabilitation may be used for monitoring, advertising, brochures, websites, presentations, or for training purposes. Placement of animals under care in settings or circumstances that are not in keeping with the primary purpose of rehabilitation or may cause undue stress or harm to the animals and risk to humans are prohibited. Non-releasable wild animals held for educational purposes may be publicly displayed within the conditions of the permittees Federal permit and/or Rhode Island Native Wild Animal Importation/Possession permit.
- E. Licensed veterinarians who do not possess a Special Scientific Collector's Permit for wildlife rehabilitation may provide emergency treatment to wild animals without obtaining a Special Scientific Collector's permit, provided that animal(s) that survive and need extended care are transferred to a licensed wildlife rehabilitator within forty-eight (48) hours or as soon as medically stable. Veterinarians may euthanize animals that are not likely to survive or meet criteria for release back into the wild.
- F. Obtaining a permit pursuant to these Regulations does not preclude the permittees conformance with other Federal, State, or local requirements for licensure certification or permits which may be required.
- G. A Special Scientific Collectors permit to rehabilitate wildlife does not authorize the practice of veterinary medicine or the treatment of domestic animals.
- H. The Department reserves the right to take possession of any animal held pursuant to these Regulations at any time.
- I. A permit issued pursuant to these Regulations does not convey any authority to the permittee to possess any wildlife or conduct any wildlife rehabilitation activities other than in the State of Rhode Island.
- J. Permittees may transfer wild animals to other permittees or facilities with similar authority for such species but shall not delegate to any other person the authority granted by this permit.
- K. No person may rehabilitate or possess, handle, release or transport any species defined as "Exotic Wild Animals" without prior approval of the Division, except for those species listed in § 1.10(N) of this Part.



- L. Unless specifically authorized by the National Marine Fisheries Service and the Department, a Special Scientific Collector's Permit does not convey authority to rehabilitate marine mammals.
- M. In addition to any species listed as federally Threatened or Endangered by the USFWS, the following species require notification be made to the Division within [forty-eight \(48\)](#) hours upon receipt by the permittee: beaver (*Castor canadensis*), black bear (*Ursus americanus*), bobcat (*Lynx rufus*), coyote (*Canis latrans*), fisher (*Pekania pennanti*), river otter (*Lontra canadensis*), porcupine (*Erethizon dorsatum*), and white-tailed deer (*Odocoileus virginianus*). The placement, care, and final disposition of these species may be determined by the Department. The disposition of any [Federally-listed](#) species will be determined by the USFWS.
- N. A Special Scientific Collector's permit is not required to rehabilitate, handle or possess the following species: house mouse (*Mus musculus*), Norway rat (*Rattus norvegicus*); house sparrow (*Passer domesticus*), rock pigeon (*Columba livia*), and European starling (*Sturnus vulgaris*).
- O. Carcasses and all animal waste products must be disposed of in a manner consistent with all municipal ordinances as well as with all applicable [State and Federal laws](#).
- P. Nothing in these [Regulations](#) permits the use of regulated medical supplies including but not limited to syringes and drugs, unless in conformance with the DOH's Hypodermic Needles, Syringes, and Other Such Instruments ([216-RICR-20-15-6](#)).
- Q. Nothing in these [Regulations](#) permits the disposal of excess or unused needles unless in accordance with the DOH's Hypodermic Needles, Syringes, and Other Such Instruments ([§ 216-20-15-6.3.3](#)) and the Department's Medical Waste Regulations (Part [140-15-1](#) of this Title).
- R. Any person who fails to pass the written examination for respective categories on their first attempt may retake the exam no sooner than seven (7) days from the date of the first ([1<sup>st</sup>](#)) attempt. Persons not achieving a passing grade on the second ([2<sup>nd</sup>](#)) attempt may retake the exam no sooner than fourteen (14) days following the second ([2<sup>nd</sup>](#)) attempt. The required wait time for any additional attempts shall be at the discretion of the Division.
- S. Permittees must maintain intake forms for all wildlife received. Intake forms, at a minimum, shall include: location of origin of animals accepted, name, home address, and telephone number of the person transporting the animal(s), date of intake, and the disposition of each individual animal. Intake forms must be made available for inspection at any reasonable hour by the Department upon request.

- T. Permittees and sub-permittees must possess at all times a current wildlife rehabilitation identification card provided by the Division, when transporting or in possession of wild animals outside their facility. A copy of their Special Scientific Collector's permit must be displayed in a prominent location at their facility.
- U. All permits expire at the end of the calendar year and become invalid after the expiration date. Permits must be renewed and are only valid after receipt of a completed application, and other conditions as detailed in § 1.11 of this Part.
- V. Wild animals being treated shall be released to the wild within forty-eight (48) hours of the subject wild animal(s) meeting the IWRC's "Minimum standards for Release of Wildlife Following Rehabilitation" as described in § 7.2 of the IWRC Minimum Standards for Wildlife Rehabilitation (2012), incorporated in § 1.4(D) of this Part. For white-tailed deer, all deer held in rehabilitation shall be released no later than September 30 of the year received, unless prior approval is received from the Division. Juvenile raccoons must be released no later than October 30 of the year received, unless prior approval is received from the Division. Animals may be held for longer periods (overwintered), with Division approval, if seasonal conditions are such that the animal's survival after release would be at risk due to such conditions.
- W. Wild animals shall be released at, or as close as practical to the point of origin, or in suitable habitat at another location and as specified in § 1.14(-X) and § 1.14(Y) of this Part. Release of animals shall be done under weather conditions and under circumstances that will minimize stress to the animal.
- X. No reptile, amphibian, wild turkey (*Meleagris gallpavo*), or any other mammal other than bats, shall be released onto any of the islands of Narragansett Bay or Block Island, unless the animal(s) in question originated from that location.
- Y. Landowner permission is required to release wild animals onto private property. Animals shall not be released onto State wildlife management areas without prior approval of the Division.
- Z. All methods of euthanasia must comply with Rhode Island General Laws.

### **1.11 Application Requirements for All Categories**

- A. A Special Scientific Collectors Permit to rehabilitate wild animals may only be issued to a person who:
1. Is a resident of Rhode Island or is a non-resident whose wildlife rehabilitation activities occur in Rhode Island or whose facility exists within the State;

2. Is at least eighteen (18) years of age;
3. Submits a complete and accurate written application on forms provided by the Division;
4. Has achieved a grade of eighty percent (80%) or higher on the written examination administered by the Division for respective categories;
5. Has successfully completed the International Wildlife Rehabilitation Council's (IWRC) Basic Wildlife Rehabilitation Course, or other course of similar scope and content that has been approved by the Division. Sub-permittees and currently licensed veterinarians are exempt from this requirement;
6. Provides a letter from a veterinarian currently licensed in Rhode Island who agrees to provide veterinary services and consultation to the permittee, if the applicant is not a Rhode Island-licensed veterinarian;
7. Submits completed rehabilitation log sheets, on forms provided by or approved by the Division for the previous season activities, where applicable;
8. Provides or has access to a suitable rehabilitation facility, meeting minimum requirements as defined in these [Regulations](#);
9. For migratory birds, provides a copy of the applicants U.S. Fish and Wildlife Service special purpose rehabilitation permit;
10. Provides certification of proof of Tetanus vaccine within the last ten (10) years;
11. Provides certification that no local ordinances prohibit the possession of wildlife for purposes of wildlife rehabilitation and/or that the possession of wildlife for such purposes does not violate any rental or real estate agreement at the property where the activities are to occur;
12. Provides certification that he or she has not been convicted of, or admitted to a violation of any provisions of these [Regulations](#) or other wildlife law in this [State](#) or had his or her Special Scientific Collector's permit to rehabilitate wildlife revoked or suspended within three [\(3\)](#) years prior to application;
13. Provides certification that all wildlife rehabilitation activities will comply with these [Regulations](#);

14. Provides certification that the permittee will hold the Department harmless for any damage, injuries, or infections to the permittee, sub-permittees, volunteers, or the public caused by any wildlife held, captured, or transported as authorized by and due to activities or actions associated with this permit, to include treatment for and prevention of such, and assumes all liability associated with this permit;
15. Submits payment of a non-refundable permit fee, as prescribed under [R.I. Gen. Laws § 20-1-21](#). Sub-permittees are exempt from the permit fee.

## **1.12 Permit Categories**

- A. The Division of Fish and Wildlife may issue an annual Special Scientific Collectors Permit pursuant to authority granted to the Department in [R.I. Gen. Laws § 20-1-18](#) to rehabilitate wild animals to persons meeting the criteria set forth in these [Regulations](#).
- B. Prior to permit issuance, the Division of Fish and Wildlife shall determine that, in addition to meeting all the requirements specified in [§ 1.11](#) of these [Regulations](#), the applicant has met the following requirements to be permitted in the categories described below.

### **1.12.1 Wildlife Rehabilitator 2**

- A. Qualified persons are those persons:
  1. Who were previously licensed as a Level 2 wildlife rehabilitator in Rhode Island, or in another [State](#) having equivalent requirements and offering reciprocal privileges to licensed rehabilitators of this [State](#), or,
  2. Who previously held a Level 1 permit for a minimum of nine (9) months immediately preceding the year of application for a Level 2 permit, with a letter of recommendation from their Level 2 sponsor.
- B. Level 2 permittees may be authorized to rehabilitate or to possess for purposes of rehabilitation: amphibians, reptiles, mammals (except for RVS), non-migratory and migratory birds (in accordance with a U.S. Fish and Wildlife Service [Special Purpose Rehabilitation Permit](#)).
- C. Level 2 permittees may euthanize wildlife that are injured, sick, orphaned, or not likely to function normally or survive if released.
- D. Level 2 permittees are permitted to supervise and receive assistance from up to seven (7) sub-permittees at the discretion of the Division and may sponsor no

more than three (3) Level 1 Apprentices. Level 2 permittees are responsible for the rehabilitation activities of any sub-permittees under their supervision.

- E. Persons who have previously held a Level 2 or 2 X permit under these Regulations but have not renewed their permit for three (3) or more consecutive years may only reapply as a Level 1 wildlife rehabilitator (§ 1.12.4 of this Part)

### **1.12.2 Wildlife Rehabilitator 2 X**

- A. Qualification is limited to those persons meeting Level 2 requirements in addition to the conditions and requirements as described in §§ 1.10, 1.13 and 1.14 of this Part and Part 40-05-2 of this Title, Rules and Regulations Governing the Prevention, Control, and Suppression of Rabies Within the State of Rhode Island.

- B. Level 2 X wildlife rehabilitators must provide proof of current rabies vaccination with a titer level of not less than one half (0.5) International Units of antibody per milliliter (> 0.5IU/ml). Applicants for renewal of Level 2 X permit must submit proof of rabies titer level no less than every two (2) years.

- C. Level 2 X permittees may be authorized to rehabilitate or to possess for purposes of rehabilitation: amphibians, reptiles, mammals (including RVS), non-migratory and migratory birds (in accordance with a U.S. Fish and Wildlife Service Special Purpose Rehabilitation Permit).

- D. Level 2 X permittees may euthanize wildlife that are injured, sick, orphaned, or not likely to function normally or survive if released.

- E. All Level 2 X wildlife rehabilitators must abide by the following protocols, and applicable provisions of Part 40-05-2 of this Title, Rules and Regulations Governing the Prevention, Control, and Suppression of Rabies Within the State of Rhode Island.

- F. Level 2 X permittees are permitted to supervise and receive assistance from up to seven (7) sub-permittees and sponsor no more than three (3) Level 1 Apprentices, provided that the sub-permittee(s) and Apprentice(s) are not directed or allowed to handle, transport, possess, or otherwise have contact with any rabies vector species (RVS). Level 2 X permittees are responsible for the rehabilitation activities of any sub-permittees under their supervision.

### **1.12.3 Wildlife Rehabilitator 2 V**

- A. Qualification is limited to veterinarians licensed in Rhode Island. Level 2 V applicants are exempt from the requirements as described in §§ 1.11(A)(4), (5).

and (6) of this Part. Level 2 V permittees are subject to all other pertinent regulatory requirements of these Regulations.

- B. Level 2 V permittees may be authorized to rehabilitate or to possess for purposes of rehabilitation: amphibians, reptiles, mammals (including RVS), non-migratory and migratory birds (in accordance with a U.S. Fish and Wildlife Service Special Purpose Rehabilitation Permit).
- C. Level 2 V permittees may euthanize wildlife that are injured, sick, orphaned, or not likely to function normally or survive if released.
- D. Level 2 V permittees are permitted to supervise and receive assistance from up to seven (7) sub-permittees and sponsor no more than three (3) Level 1 Apprentices, provided that the sub-permittee(s) and Apprentice(s) are not directed or allowed to handle, transport, possess or otherwise have contact with any RVS. Level 2 V permittees are responsible for the rehabilitation activities of any sub-permittees under their supervision.

#### **1.12.4 Wildlife Rehabilitator 1, "Apprentice"**

- A. Qualified applicants are authorized to possess, receive, rehabilitate, transport, transfer and release amphibians, reptiles, mammals (except for RVS), non-migratory and migratory birds (in accordance with a U.S. Fish and Wildlife Service Special Purpose Rehabilitation Permit) and as approved by the Division.
- B. Level 1 Apprentice applicants must provide a written letter of agreement from a currently-licensed Wildlife Rehabilitator Level 2, 2 X, or 2 V, stating that he or she is willing to serve as the applicants sponsor for one (1) calendar year.
- C. Level 1 Apprentice permittees may euthanize wildlife that are injured, sick, orphaned, or not likely to function normally or survive if released.
- D. Level 1 Apprentice permittees are not authorized to sponsor sub-permittees.

#### **1.12.5 Transporter**

- A. Qualified persons are limited to those persons holding Level T permits at the time these Regulations were adopted and their current sub-permittees, or individuals who have attended and successfully completed a class in transporting wildlife or other relevant training provided by, or otherwise approved by, the Division.
- B. Transport permittees are limited to the transport of birds and non-RVS small mammals from the point of possession and directly transporting to a licensed wildlife rehabilitator.

### 1.12.6 Sub-permittees

- A. Qualified persons may perform limited wildlife rehabilitation activities as prescribed by these Regulations under the supervision of a permittee provided that:
1. The sub-permittee has passed a written examination administered by the Division with a grade of **eighty percent (80%)** or higher;
  2. The sub-permittee provides documentation that they have successfully completed six (6) hours of classroom instructional training as provided by the Wildlife Rehabilitators Association of Rhode Island or other equivalent training approved by the Division;
  3. A permittee provides the name and address of the sub-permittee(s) working under their supervision to the Division annually;
  4. The permittee provides the sub-permittee with written instruction concerning caging, dietary requirements, personal protection, and any other assistance the permittee deems necessary;
  5. The sub-permittee follows the written instruction provided by the permittee;
  6. The permittee inspects the facilities of the sub-permittee prior to the sub-permittee receiving any wildlife and the permittee provides the Division with an inspection report for the sub-permittee's facilities;
  7. All wildlife is admitted through a permittee, the sub-permittee may not accept or obtain wildlife from any other source;
  8. The sub-permittee does not possess any category of wildlife that the permittee is not authorized to rehabilitate;
  9. The sub-permittee at no time possesses raptors or RVS;
  10. The sub-permittee conducts wildlife rehabilitation activities within Rhode Island
- B. Sub-permittees may not euthanize animals.
- C. Sub-permittees are restricted to pre-fledged songbirds, pre-fledged waterfowl, reptiles, amphibians, and pre-weaned, non-RVS small mammals.
- D. A permittee may terminate his or her relationship with a sub-permittee at any time. The Division must be notified of termination of said relationship within five



(5) days of termination. A sub-permittee's permit becomes invalid upon termination of relationship with a permittee.

### **1.13 Facility Requirements**

A. All rehabilitation facilities must meet or exceed the IWRC's Minimum Standards for Wildlife Rehabilitation (2012) Basic Requirements for Housing Wild Animals in Rehabilitation (§ 1.4(D) of this Part).

B. For RVS, in addition to meeting the IWRC Minimum Standards for Wildlife Rehabilitation (2012) Basic Requirements for Housing Wild Animals in Rehabilitation, all facilities must also meet or exceed the following requirements:

1. Caging, holding, and treatment areas for RVS must be separate from other non-RVS rehabilitation caging;
2. Rehabilitation of RVS may not take place in areas used for human food preparation or in other living areas in general use by human occupants;
3. All cages must consist of double caging; e.g. a cage within a room or building that can be secured from the public or domestic animals and to prevent escapes, or a cage within a larger cage or perimeter fencing that can be locked and provide adequate separation to prevent contact with humans and other animals and escapes;
4. The RVS cannot come into contact with any other domestic or wild animal;
5. The RVS cannot come into contact with any person outside the cage;
6. There is a means to observe the RVS inside the cage prior to entering or accessing the cage;
7. The cages can be secured to prevent opening by unauthorized people or other animals;
8. A RVS can be safely removed from caging or confinement using appropriate handling equipment and techniques;
9. Caging used for raccoons shall not be used for other species;
10. RVS facilities must be prominently marked: "WARNING: WILDLIFE RABIES ISOLATION AREA: KEEP AWAY."
11. Visual barriers shall be used to prevent or minimize disturbance and reduce habituation.

C. Division staff will conduct an interview and inspection for first-time applicants, other than sub-permittees, or when a permittee makes significant changes or additions to their facilities, to ensure compliance prior to the issuance of a permit.

D. Permittees must notify the Division within thirty (30) days prior to moving or closing their facility.

#### **1.14 Rabies Vector Species Special Conditions and Requirements**

A. Only apparently healthy, juvenile (estimated to be ten (10) weeks of age or less) raccoons, skunks, red and gray foxes, and woodchucks, and bats of any age are candidates for rehabilitation, and only if the DOH has determined that no human or animal exposure has occurred. Apparently healthy shall mean that the animal in question exhibits no signs of behavioral, locomotive, or neurological impairment or wounds of unknown origin.

B. Any RVS that exhibits signs of behavioral, locomotive, or neurological impairment, or has a wound of unknown origin shall not be a candidate for rehabilitation and must be euthanized.

C. Bats of any age are candidates for rehabilitation, provided that the DOH has been contacted and has determined there has been no human or animal exposure and that the bat exhibits no signs of behavioral or neurological impairment.

D. The DOH must be notified immediately upon the submission of an RVS, to determine if a human or animal exposure has occurred.

E. Level 2-X wildlife rehabilitators are responsible for the capture, restraint, and transport of RVS.

F. Level 2-X wildlife rehabilitators must not request or direct any member of the public to handle, capture, or transport an RVS.

G. Wildlife rehabilitators must complete a "Rabies Vector Species Acceptance-Interview" form for each RVS that is received for intake. One (1) form may be used if the RVS incident involves more than one (1) animal.

H. When a person informs a wildlife rehabilitator that he or she has been bitten, scratched, or otherwise potentially exposed to the saliva of an RVS, the wildlife rehabilitator must:

1. Advise the person to immediately wash the wound with soap and water;

2. Advise the person to call his or her physician and to seek medical attention immediately;

3. Immediately notify the DOH of the incident and request further instructions concerning the disposition of the RVS animal

I. When informed that an RVS in their care has bitten, scratched or otherwise potentially exposed a domestic animal (e.g. cat, dog, or ferret), the wildlife rehabilitator must:

1. Advise the person to avoid touching the domestic animal or use gloves when doing so;

2. Immediately notify the Animal Control Officer (ACO) in the municipality in which the incident occurred and request further instructions on the disposition of the wild animal. If the ACO is not available, contact the DOH;

3. Advise the person to contact their veterinarian to determine the animal's vaccination history;

J. When informed that an RVS in their care has bitten, scratched, or otherwise potentially exposed a domestic animal other than a cat, dog, or ferret (e.g. cow or horse), the rehabilitator must:

1. Advise the person to avoid touching the domestic animal or to use gloves when handling the domestic animal;

2. Notify the ACO;

3. Immediately notify the DOH of the incident and request further instructions concerning the disposition of the RVS;

4. Notify the State Veterinarian;

5. Advise the person to call his or her veterinarian to determine vaccination history, if applicable

K. The permittee must notify RIDOH immediately if an RVS dies while in care and make the animal available for rabies testing. If the animal in question tests positive for rabies all cage mates or other animals having previous contact are not to be released and must be euthanized.

## ~~1.9 Qualifications to Gain a Permit~~

~~Criteria~~ Fish and Wildlife may issue an annual special Scientific Collectors Permit to rehabilitate native wildlife to persons meeting the criteria set forth in these regulations. Prior to permit issuance, Fish and Wildlife shall determine that the applicant has met the following requirements in the categories described below.

### ~~1.9.1 Level P-Sub-permittee:~~

- ~~A.~~ Sub-permittees must pass a written examination established by the Department. Following satisfactory completion of the State test, as delineated in § 1.10(A)(7) of this Part, a person may qualify to assist any class of Level II permittees under the direct supervision of the permittee. Sub-permittees are strictly prohibited from handling and rehabilitating raptors or rabies vector species (RVS) at any time. In addition, sub-permittees are strictly prohibited from handling any category of animals for which their supervising permittee has not been duly authorized to care for.
- ~~B.~~ Following the completion of not less than 25 hours of hands-on activity and six (6) hours of instructional training sufficient to demonstrate to the satisfaction of the permittee that the sub-permittee has sufficient skills and knowledge, the permittee shall be considered for off-site approval.
- ~~C.~~ In order to be considered for off-site approval, the sub-permittee must meet the following requirements:
- ~~1.~~ Facility must meet or exceed the minimum standards and be inspected by the permittee on forms provided by and submitted to DEM prior to acceptance of any wildlife for rehabilitation.
  - ~~2.~~ The submission by the permittee of a written policy which shall include inter alia, the relationship to be maintained between the permittee and the sub-permittee, frequency and extent of inspection and continuing monitoring of the sub-permittee. In no case shall the sub-permittees facilities not be inspected by the permittees less frequently than one (1) month interval during the season for initial year and one visit per season for subsequent years and that the permittee submit a report on the progress of the sub-permittee on the form provided at thirty (30) and sixty (60) day intervals. Sub-permittees are restricted to pre-fledged songbirds and waterfowl and un-weaned non-RVS small mammals. Sub-permittees are permitted to temporarily house post-weaned non-RVS mammals for soft release only, restricted to the providing of food and water limited to a period not to exceed two weeks. Handling of soft release candidates is

~~prohibited. Sub-permittees must comply with all requirements set out in § 1.12 of this Part.~~

### ~~1.9.2 Level I—Apprentice~~

- ~~A.—An apprentice is authorized to receive, rehabilitate, transfer and release all wildlife in categories listed on the permit under the supervision of a Division-approved sponsor and under conditions specified in the regulations.~~
- ~~B.—Applicants for licensure as Level I rehabilitators must present a written letter of recommendation by Level II rehabilitator willing to serve as the applicant's sponsor/consultant during the first year of applicant's apprenticeship and must pass a written examination established by the Department and successfully complete the IWRC Basic Wildlife Rehabilitation Course.~~
- ~~C.—Apprentices must consult their sponsor immediately after receiving any wildlife, as well as adhering to regulatory requirements. Level I permittees are not authorized to sponsor or list sub-permittees on their permit.~~

### ~~1.9.3 Level II~~

- ~~A.—Qualified persons are persons who were previously licensed as a Level II rehabilitator in Rhode Island or in another state having equivalent requirements and offering reciprocal privileges to licensed rehabilitators of this state, or who have currently held a Level I permit for 1 (one) year with a letter of recommendation from a Level II sponsor and having passed required examination, may apply for licensure by the Division as a Level II rehabilitator.~~
- ~~B.—Sub-permittees are permitted to assist under the direct supervision of Level II permittees. Level II permittees are directly responsible for the action of any sub-permittee acting under his /her permit. Level II permittees shall sponsor no more than 5 sub-permittees as an individual or 10 sub-permittees at an approved center.~~

### ~~1.9.4 Level II R~~

- ~~—Persons meeting Level II requirements, having held a previous Level II R permit or with a letter of recommendation from a Level II R sponsor.~~

### ~~1.9.5 Level F~~

- ~~—Qualified persons holding a valid Rhode Island General or Master class Falconer permit may obtain a permit restricted to raptors. Level R permit holders are required to adhere to all requirements set out in § 1.10 of this Part with the exception of § 1.10(A)(7) of this Part.~~

### ~~1.9.6 Level T~~

~~Qualified persons are limited to the transport only of non-rabies-vector species-native wildlife. Qualified persons shall be those holding transport permits in the past or individuals who have attended and successfully completed class in transporting wildlife, approved by the Division.~~

### ~~1.9.7 Level TX~~

~~Qualified persons are limited to the transport of non-vector species and rabies-vector species. In addition to above transport requirements in § 1.9.6 of this Part, Level TX permit holders must abide by the conditions in § 1.14 of this Part, and Part 40-05-2 of this Title.~~

### ~~1.9.8 Level II V~~

~~Restricted to veterinarians licensed in the State of Rhode Island.~~

### ~~1.9.9 Level II X~~

~~A. Qualification is limited to those persons meeting Level II requirements in addition to the conditions and requirements as described in § 1.14 of this Part and Part 40-05-2 of this Title.~~

~~B. All wildlife rehabilitators must follow the following protocols, and applicable provisions of Part 40-05-2 of this Title, with Level II X authority.~~

~~1. Level II X Permit Holder must notify the Department of Health (DOH) regarding every RVS contact with information gathered on form provided by the Division.~~

~~2. Level II X wildlife rehabilitators are responsible for the pick-up and transport of RVS. No one other than Level II X permittees can transport animals.~~

~~a. Level II X wildlife rehabilitators must not request or direct any person who discovers a RVS to handle that animal.~~

~~b. Wildlife rehabilitators must complete a "Rabies Vector Species Acceptance Interview" form for each RVS that is picked up by the wildlife rehabilitator. One form may be used if the RVS incident involves more than one animal. This form is in addition to the:~~

~~(1) initial intake form;~~

~~(2) daily log sheet, and~~

~~(3) RVS wildlife rehabilitation log sheet. The Rhode Island Department of Health (DOH) must immediately be notified by telephone with the information on the form. Depending on the directive of the DOH, the completed form may be mailed or faxed, with a copy forwarded to the Division of Fish and Wildlife.~~

~~e. When a person informs a Level II X wildlife rehabilitator that he or she has been bitten, scratched, or otherwise exposed to the saliva of a RVS, the wildlife rehabilitator must:~~

~~(1) advise the person to immediately wash the wound thoroughly with soap and water;~~

~~(2) advise the person to call his or her physician or to seek medical attention immediately;~~

~~(3) immediately notify the DOH of the incident and request further instructions concerning the disposition of the biting RVS animal.~~

~~d. When a person informs a Level II X wildlife rehabilitator that a RVS has bitten a domestic cat, dog, or ferret, the wildlife rehabilitator must:~~

~~(1) advise the person to avoid touching the domestic animal or to use gloves when handling the domestic animal;~~

~~(2) advise the person to notify the local animal control officer to have animal bite form and an order of quarantine, confinement, or booster;~~

~~(3) advise the person to call his or her veterinarian to determine vaccination history;~~

~~(4) immediately notify the local Animal Control Officer of the incident and request further instructions concerning the disposition of the biting wild animal.~~

~~e. When a person informs a Level II X rehabilitator that a RVS has bitten a domestic animal other than a cat, dog, or ferret (e.g. a cow or horse), the rehabilitator must:~~

~~(1) advise the person to avoid touching the domestic animal or to use gloves when handling the domestic animal;~~



~~(2) advise the person to call the state veterinarian;~~

~~(3) advise the person to call his or her veterinarian to determine vaccination history;~~

~~f. When a person appears at a Level II-X wildlife rehabilitator's RVS facility with a RVS or a rabies suspect animal, the wildlife rehabilitator who has been granted RVS authority must:~~

~~(1) either accept the RVS or direct the person and animal to another wildlife rehabilitator with RVS authority. Wildlife Rehabilitators may accept RVS for euthanasia if facilities are full.~~

~~(2) advise the person to call his/her physician to report a possible exposure to a rabid or rabies suspect animal;~~

~~(3) immediately notify the Department of Health of the incident and request further instructions concerning the disposition of the RVS, using RVS Acceptance Interview Form.~~

## **1.10 Application Requirements for All Categories**

~~A. The application shall include but not be limited to the following:~~

~~1. Certification that the applicant is at least 18 years of age, and a resident of Rhode Island;~~

~~2. Submission of a letter of acceptance from sponsor as required.~~

~~3. Submission of a letter from Rhode Island licensed and permitted veterinarian, agreeing to provide services at no cost to the State.~~

~~4. A description of applicant's education and experience.~~

~~5. An address and description of the applicant's rehabilitation facility. Facility must meet or exceed minimum standards as defined and be available for inspection by the Department at any reasonable hour.~~

~~6. Designate category of permitted native wildlife that the applicant wishes or is qualified to rehabilitate (small mammals, small birds, reptiles, raptors, rabies vector species or all).~~

~~7. Prior to licensure, first time applicants and sub-permittees must attain a grade of 80 percent or higher on the open book written examination administered by the Department. First time applicants, excluding sub-~~

permittees, must also attain a grade of 70 percent or higher on the exam administered by the International Wildlife Rehabilitation Council in the Basic Wildlife Rehabilitation Course; veterinarians and general or master falconers are exempt.

8. Submission of applicant's USFWS special purpose rehabilitation permit, if applicable, or copy of application if pending. A federal permit is required prior to handling of any federally regulated species pursuant to 50 C.F.R. § 13, and 50 C.F.R. § 21.27 and 50 C.F.R. § 21.29.
9. Certification by the applicant that no local ordinances prohibit the possession of wildlife and/or that the possession of wildlife does not violate any rental or real estate agreement at the facility where the applicant proposes to conduct wildlife rehabilitation. Applicant must also submit a letter of approval from employer if wildlife is to be temporarily housed at a work facility, to include the address and description of the facility.
10. Certification from the applicant on application provided by the Division that all rehabilitation activities will comply with these regulations.
11. Certification of proof of Tetanus vaccine within the last ten years, and additionally, for rabies vector species, proof of rabies vaccination or report of antibody titer >0.5 IU checked at least every two years.
12. Certification that the applicant has not been convicted of a violation of any provisions of these regulations, or had his/her license to rehabilitate wildlife in Rhode Island revoked or suspended within three years prior to application.

### **1.11 Permit Issuance**

- A. Interview and inspection by a Division representative of a first time applicant or apprentice to assess the applicant's compliance with licensing requirements and facilities as described in § 1.14.2 of this Part.
- B. Level II X applicants require an additional inspection, meeting the criteria in § 1.14.2 of this Part.
- C. Issuance of permits may be made by the Department, notwithstanding availability in the program, sponsorship availability, level of expertise and upon:
  1. Receipt of completed application providing the information enumerated under § 1.10 of this Part; and for Level II X applicants, additionally, § 1.14 of this Part.

- ~~2. Submission of completed rehabilitation log sheet(s) on forms provided with information required, on or before January 7 following the expiration date of past license, if applicable and;~~
- ~~3. Submission of proof of a minimum of 12 hours of continuing education credits within three years of permit issuance for Level I, Level II, and Level IIX permit holders.~~
- ~~4. Payment of the twenty five dollar (\$25) non-refundable permit fee, sub-permittees are exempt.~~
- ~~5. Pending verification of information, permit may then be issued, indicating the level of expertise, category(s) of wildlife species, and expiration date of the permit.~~

### ~~1.12 Special Conditions~~

- ~~A. No person shall rehabilitate, handle, release or transport any wildlife, except as provided in §§ 1.12(B), (C), and (E) of this Part without having first obtained the appropriate permit as designated in § 1.11 of this Part from the Department.~~
- ~~B. No person shall rehabilitate, handle, release or transport any wildlife other than the categories specifically set out in the permit, and in compliance with the state list. Persons may transport non-rabies vector species to rehabilitators, provided rehabilitator records name, address, and telephone number of said person.
  - ~~1. Exception: Rabies vector species transport must conform to conditions in § 1.14.1 of this Part.~~~~
- ~~C. No person shall rehabilitate, handle, release or transport any species, as defined in these regulations as "Exotics."~~
- ~~D. There is no permit required for the rehabilitation, handling, release or transportation of the following species: mice, shrews, voles, moles, house-sparrow, Rock Dove, and European Starling.~~
- ~~E. Veterinarians may provide emergency first aid to any member of an endangered or threatened species, without first obtaining a permit, provided that notification is given to the Division within 48 hours as to the species, nature of the injury/illness, location where the species was encountered, description of the service provided, and last location where the wildlife was seen. Such species shall be transferred to a licensed rehabilitator within 48 hours, or as soon as medically stable, with additional notice to the Division, to include notice after release, and/or euthanasia. Permittees must further comply with federal regulations. Licensed veterinarians may give emergency treatment without obtaining a rehabilitation~~

~~permit, to the remainder of the non-rabies vector state-listed species, providing that the species be transferred to permitted facility within 48 hours. Notification must be made to the Division within 48 hours of initial contact.~~

~~F. No person shall release any non-vector species rehabilitated wildlife at a location other than the point of origin, or in suitable habitat and season for that species within the boundary of Rhode Island except that no mammal, reptile, or amphibian shall be released onto any of the islands of Narragansett Bay or Block Island unless the animal in question originated from that location. Refer to § 1.14.3 of this Part for release conditions of vector species.~~

~~G. All permittees and sub-permittees must operate under all aspects of the current standards and manual guidelines, as defined, and in accordance with these regulations with regard to care and facilities or have a working relationship with permittees with appropriate facilities. Permittees must maintain initial physical evaluation form, to include location of origin, name, address, and telephone number of transporter in accordance with § 1.11(B) of this Part; and disposition logged on each individual. Permittees must maintain a current Sub-permittee Transfer log, on forms provided by DEM, to track the species, date and location of wildlife to their sub-permittees. Facilities and log sheets may be inspected at any reasonable hour by the Department's designee. Wildlife shall be held no longer than necessary for the restoration of its health and when wildlife is rehabilitated, after which it shall immediately be released to the wild at its point of origin, or in suitable habitat and as specified in § 1.11(F) of this Part. Such log sheets shall contain, at a minimum, the information as shown in the IWRG basic skills manual. Refer to § 1.9.9 of this Part for additional documentation required for rabies vector species.~~

~~H. In addition to the provisions in 50 C.F.R. §§ 17 and 21, certain diseases must be reported to the DEM and the DOH. As a requirement of this permit, you are required to notify the proper Department if you encounter or suspect any of the following as listed in "Reportable Disease in Rhode Island".~~

~~I. Wildlife held under this permit must be released as soon as possible and into a suitable habitat for that species. All wildlife being treated shall be released to the wild within forty-eight (48) hours of the subject wildlife meeting the "Minimum Standards for Release of Wildlife Following Rehabilitation" as described in Section 7.2 of International Wildlife Rehabilitation Committee and National Wildlife Rehabilitation Association as published in (2012) (incorporated above at § 1.4 of this Part). All wildlife being treated shall be released to the wild or euthanatized as soon as its condition can be determined and not later than ninety (90) days of the commencement of treatment. If it is determined by the Division that it is probable that the wildlife being treated will not be able to be released to the wild within ninety (90) days of the commencement of treatment, the wildlife~~

shall be euthanized within twenty four (24) hours of the Division's determination unless prior written Division approval is received authorizing extended care of the wildlife. Refer to § 1.14.3 of this Part for rabies vector species.

J. ~~Wildlife held under this permit shall not be owned, sold, offered for sale, purchased, bartered, offered for barter, tamed, neutered, used for propagation purposes or used to conduct commercial transactions of any nature.~~

K. ~~Permittees may not transport wildlife across State borders unless appropriate notification is made to RI DEM Division of Fish and Wildlife or, outside of normal business hours, the Division of Law Enforcement, and in accordance with applicable Federal or State regulations including but not limited to the Federal Lacey Act, 50 C.F.R. § 20.~~

L. ~~Permittees may transfer wildlife to other Rhode Island permitted rehabilitation facilities with like permits to include categories of animals, i.e., small birds, small mammals, raptors, but shall not delegate to any other person the authority granted by this permit. The total duration of rehabilitation shall be in compliance with § 1.12(l) of this Part. For rabies vector species refer to § 1.14.3 of this Part.~~

M. ~~The Department reserves the right to repossess any animal held pursuant to these regulations at any time.~~

N. ~~Permittee must notify the Department within 30 days prior to moving to another facility.~~

O. ~~Permittees and sub permittees must possess at all times a current wildlife rehabilitation identification card when in possession of wildlife outside the facility and must display permit in a prominent location at their facility.~~

P. ~~Sub permittees cannot accept wildlife directly from the public, prescribe medication, or perform euthanasia. Sub permittees must report illness, changes in condition, failure to thrive, escapes or death of wildlife in their care to permittees within 24 hours by telephone and written on designated log sheets, documenting both condition and reporting. In case of illness or failure to thrive, permittee must additionally return above wildlife to permittee or his/her level II designee within 24 hours. All wildlife must be returned to the premises of the permittee within seven (7) days following weaning for small mammals and three (3) days for birds. All disposals of carcasses must be provided in a manner consistent with State and municipal regulations.~~

Q. ~~Any permittee may terminate his/her relationship with any sub permittee or apprentice at any time. If a permittee elects to terminate said relationship, the permittee shall notify both the Division and sub permittee/apprentice, in writing, in~~

~~not more than five (5) days following termination. Sub-permittees/apprentices must return any animals in his/her care upon receipt of notice of termination.~~

- ~~R. All permits expire at the end of the calendar year. Permits must be renewed and are only valid after receipt of completed renewal application, and other conditions as detailed in § 1.11 of this Part and/or § 1.14.2 of this Part.~~
- ~~S. Permittees must agree, in writing, to hold the State harmless for any damage, injury, or disease caused by any wildlife held under the permit, to include treatment for or prevention of such. Permittees assume all liability associated with this permit.~~

### ~~1.13 Other Restrictions~~

- ~~A. Nothing in these regulations shall be interpreted as permitting the unlicensed practice of veterinary medicine to include but not be limited to: the diagnosis, treatment or dispensing of pharmaceuticals in accordance with the Department of Health's Veterinarians Rules and Regulations (~~216 RICR 40-05-14~~). Medications must be labeled, stored and disposed of in accordance with said Rules and Regulations. The State assumes no responsibility for the cost of such care.~~
- ~~B. Nothing in these regulations permits the use of regulated medical supplies including but not limited to syringes and drugs without specific conformance with the Department of Health's Hypodermic Needles, Syringes, and Other Such Instruments Rules and Regulations (~~216 RICR 20-15-6~~).~~
  - ~~1. Nothing in these regulations permits the disposal of excess or unused needles unless in accordance with the Department of Health's Hypodermic Needles, Syringes, and Other Such Instruments Rules and Regulations (~~§ 216 RICR 20-15-6.3.3~~) and the Department's Medical Waste Regulations (~~Part 140-15-1 of this Title~~).~~
  - ~~2. Disposal of sharps generated by permittees or sub-permittees must conform with ~~§ 140-15-1.13~~ of this Title of the above stated regulations, providing for small generators at satellite facilities to transport sharps from point of origin to a central collection point. Generators must contact the R.I. DEM Office of Waste Management with a letter of request for approval of satellite facilities, providing names and addresses of off-site generators. Permittees and sub-permittees are responsible to log the transport of sharps from satellites on forms provided by DEM. Sharps must be stored in approved containers and transferred to the central collection point as requested by the central collection point when the container is full or when permittee/sub-permittee ceases to be licensed for wildlife rehabilitation.~~

- C. ~~Obtaining a permit pursuant to these regulations does not preclude the permittees conformance with such other Federal, State or local requirements for licensure certification or permit which may be required.~~
- D. ~~Permittee may not demand a fee or otherwise charge for services rendered under conditions of this permit. Nothing precludes permittee from accepting a donation(s).~~

## **1.14 ~~Rabies Vector Species (RVS) Special Conditions & Requirements~~**

### **1.14.1 ~~General Provisions~~**

- A. ~~Only apparently healthy, orphaned young of the year (less than 10 weeks of age) raccoons, foxes, skunks, and woodchucks, and bats of any age are candidates for rehabilitation and only if no human or animal exposure has occurred, as determined by the Rhode Island Department of Health (DOH). Apparently healthy animals shall be those animals that show no signs of behavioral, neurological, or locomotive impairments. Young of the year raccoons, foxes, skunks, woodchucks, and bats that have wounds of unknown origin and adult raccoons, foxes, skunks, and woodchucks shall not be candidates for rehabilitation and must be euthanized.~~
- B. ~~Level II X permittees must notify the DOH immediately upon admission of RVS and adhere to DOH procedures as a condition of the permit. Level II X rehabilitators will be responsible for pick up and transport of RVS and will provide additional information on the person(s) finding the RVS. Level II X permittees may make arrangements with Level TX permittees only. This permit does not authorize the care of RVS to transport permittees. DEM or DOH personnel will not provide transport of RVS to Level II X permittees. Transfer of RVS from Level II X to Level II X, only will be permitted, providing immediate notification to DOH of the name and address of new location.~~

### **1.14.2 ~~Facilities Requirements~~**

- A. ~~Level II X permit holders must provide facilities, as a condition of licensure, that meet or exceed the following requirements:~~
  - 1. ~~Caging, holding, and treatment areas for RVS may be located inside a building or outside provided that the RVS caging is separate from other non-RVS wildlife rehabilitation cages. Rehabilitation of RVS must not take place in areas used for human food preparation or in other living quarters in general use by human occupants.~~



2. ~~RVS caging must be constructed of sturdy materials and designed in such a manner to ensure that:
    - a. ~~All cages must consist of double caging (e.g., a cage in a secure room or building, double wire, cage inside a cage with double doors locked from both sides to prevent RVS escapes).~~
    - b. ~~the RVS cannot come into contact with any other domestic or wild animal including preventing access by climbing or digging animals and preventing animal to animal contact between separate cages;~~
    - c. ~~the RVS cannot come into contact with any person outside the cage especially unauthorized persons;~~
    - d. ~~there is a means to observe the location of the RVS inside the cage prior to entering the cage;~~
    - e. ~~the cages are secured from unintentional opening by animals or by unauthorized people;~~
    - f. ~~an aggressive rabies suspect animal can be safely removed using the appropriate handling equipment and techniques.~~
    - g. ~~size and specific species requirements must conform to specifications in the "Minimum Standards for Wildlife Rehabilitation" (2012), incorporated above at § 1.4(D) of this Part.~~~~
  3. ~~RVS cages must be constructed of materials that are effectively cleaned and treated to prevent the spread of rabies. All outside RVS cages must be dedicated only for RVS.~~
  4. ~~The RVS cages must be located in areas where there is no access by the public, especially children. Canvas or plastic tarps must be used to limit access and reduce habituation.~~
  5. ~~The outside of the RVS cages must be prominently marked with readable signs, provided by the wildlife rehabilitator, that contain the words: "WARNING: WILDLIFE RABIES ISOLATION AREA: KEEP AWAY."~~
  6. ~~An inspection sheet will be used to evaluate the facilities and activities of the RVS rehabilitator. The facility must meet or exceed these requirements as a condition of the permit.~~
- B. ~~Facilities must be inspected by a Division designee with a form provided by the Division, prior to license issuance.~~

1. ~~Facilities must additionally meet the criteria for specific species as specified in the "Minimum Standards for Wildlife Rehabilitation" (2012), incorporated above at § 1.4(D) of this Part.~~
2. ~~Immediately upon receipt by the licensee, each individual RVS must be identified with an external marker or held in such a manner that permits positive identification of the specific animal until that animal is released.~~

### **1.14.3 Release**

- A. ~~Any RVS accepted as a candidate for rehabilitation must be released as soon as they are able to survive in the wild, and no later than September 30. Following "Minimum Standards for Wildlife Rehabilitation" (2012), incorporated above at § 1.4(D) of this Part, a soft release, no longer than two weeks, will be permitted in a natural setting with natural foods.~~
- B. ~~RVS cannot be released on State or federally owned land. Written permission from private landowner must be obtained prior to release and become part of the individual RVS record.~~
- C. ~~When rehabilitating RVS, a wildlife rehabilitator must take extra care to:~~
  1. ~~avoid "imprinting" or "habituating" and to avoid having the wild animal lose its fear of humans;~~
  2. ~~ensure that all releases are made in an area and at a time of day that will minimize the potential of encountering people;~~
  3. ~~ensure that written permission is granted from the private landowner before releasing any RVS.~~
- D. ~~Any unusual or abnormal behavior by a 'released' RVS will cause that animal to be perceived as "rabid" when encountered by the public. Only healthy, normal-acting RVS may be released and these must be released in suitable habitat at a discreet location.~~

### **1.14.4 Euthanasia**

- A. ~~The DOH must be notified immediately if RVS dies. Any cage mates of a rabies positive RVS must also be euthanized. RVS that cannot be released must be euthanized following criteria outlined in the "AVMA Guidelines for the Euthanasia of Animals" (2013 Edition), incorporated above at § 1.4(D) of this Part.~~

- ~~1. Level II X permittees are required to take any RVS showing any abnormal behavioral, neurological, or locomotive signs to the designated Level II V on their application for examination as soon as possible.~~
- ~~B. Veterinarians with Level II V permits will be permitted to euthanize RVS under criteria established by DOH, as outlined in §§ 1.14.1(A) and 1.14.3(B) of this Part.~~
- ~~C. Level II X permit holders assume all liability in association with this activity.~~
- ~~D. Wildlife rehabilitators have the authority to euthanize wildlife possessed under their Wildlife Rehabilitator License, according "AVMA Guidelines for the Euthanasia of Animals" (2013 Edition), incorporated above at § 1.4(D) of this Part. This authority does not include the possession or administration of needles or controlled substances except as permitted under the authority of a licensed veterinarian.~~
- ~~E. Wildlife rehabilitators must clearly coordinate procedures for euthanasia with their cooperating veterinarian before they handle any RVS.~~