

Research Protocol for State Rabies Vaccination Laws for Domestic Dogs, Cats, and Ferrets

Prepared by the CDC Public Health Law Program

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State Rabies Vaccination Laws for Domestic Dogs, Cats, and Ferrets

- I. **Date of Protocol:** Updated March 2018
- II. **Scope:** Compile, analyze, and code state laws on rabies vaccination of dogs, cats, and ferrets
- III. **Project Team:** Dawn Pepin, JD, MPH
- IV. **Primary Data Collection**
 - a. **Project Dates:** January 1, 2016 – March 9, 2018
 - b. **Data Collection Methods:** Preliminary public health and legal research was conducted before a final search string was created. An attorney pulled all relevant laws based on the finalized search string, developed coding questions, and then coded the provisions based on the coded scheme developed for this assessment.
 - i. **Database Used:** WestlawNext
 - ii. **Search Terms Used:**
 1. **General:**
 - a. SD(rabi!) – January 15, 2016
 - b. SD(rabi!) & CR,HN(2017 2018) – March 7, 2018
 - c. PR,CA(rabi!) & CR(2016 2017 2018) – March 9, 2018
 2. **Compendium Section:**
 - a. SD(rabi! and (compendium or "National Association #of State Public Health Veterinarians" or NASPHV or CDC or "centers #for disease control")) – March 2, 2016
 - b. SD(("centers #for disease control" or CDC or MMWR or "Morbidity #and Mortality Weekly Report") and (rabies)) – April 6, 2016
 - c. SD((rabi! and (compendium or "National Association #of State Public Health Veterinarians" or NASPHV or CDC or "centers #for disease control")) or (("centers #for disease control" or CDC or MMWR or "Morbidity #and Mortality Weekly Report") and (rabies))) & CR,HN(2016 2017) - October 19, 2017
 - d. SD((rabi! and (compendium or "National Association #of State Public Health Veterinarians" or NASPHV or CDC or "centers #for disease control")) or (("centers #for disease control" or CDC or MMWR or "Morbidity #and Mortality Weekly Report") and (rabies))) & CR,HN(2017 2018) – March 6, 2018
 - iii. **Jurisdictional Scope:**

1. State laws in 50 states and DC only. Please note that cities or counties might have laws that also pertain to rabies vaccination for particular animals.

V. Coding

a. Determining Research Questions and Indicators:

- i. Conducted general searches of rabies laws in WestlawNext in all 50 states and the District of Columbia (DC) to get a cursory overview of the legal structures surrounding rabies vaccination requirements. Began to identify indicators and search terms.
- ii. Consulted with public health subject matter experts.
- iii. Developed final search terms.
- iv. Created a coding script for each legal domain with questions to guide research.
- v. Finalized the coding script after the collection of laws was complete.
- vi. Finalized indicators and paired each indicator with relevant search terms.

b. **Checking for Relevance:** Selected laws that were within the scope of the project and excluded others as outside the scope. If laws provided an answer to any of the coding questions, then the law was included within the assessment.

c. **Checking if Good Law:** Looked at WestlawNext KeyCite status flags to determine the validity of law and included only laws that were still good law. In statutes and regulations, a red flag indicates that the statute or regulation has been amended by a recent session law or rule, repealed, superseded, or held unconstitutional or preempted in whole or in part.

d. **Documenting the Search Process:** Created a research trail to reflect research process, including notes on search terms and scope.

e. **Preserving Relevant Statutes and Regulations:** Preserved all statutes and regulations relevant to the legal domain for each state from the search results identified above.

VI. Coding Rules

a. **General:** If more than one answer was applicable, all that applied were indicated. The questions include “select all that apply” answer choices.

b. **Animal Type:** Dogs, cats, and ferrets

- i. Other animals: If a law specified certain animals but also included a catch-all term for “other animals” without further details, the provisions were coded only for the animals specifically mentioned, and a footnote was added to indicate that

other animals might be covered by the provision. See e.g. Ark. Code Ann. § 20-19-305.

c. Vaccination or Revaccination:

- i. Dates:** Some laws provided a date range for vaccination or revaccination. This type of provision was coded in accordance with initial age provided. For instance, in the following example, the vaccination age would be coded as 3 months: W. Va. Code Ann. § 19-20A-2, "Dogs and cats need not be vaccinated before the age of three months, but must be vaccinated by the age of six months."
- ii. Length of Immunity:** If a length of immunity was provided (e.g., 1 year and 3 years), the length of immunity given was coded as the dates for vaccination and/or revaccination where relevant. See N.J. Admin. Code § 8:23A-4.2
- iii. Compendium:** Some state laws made no specific reference to a vaccination date or vaccination intervals but specified that the dog, cat, or ferret must be vaccinated according to the schedules recommended in the National Association of State Public Health Veterinarians (NASPHV), Compendium of Animal Rabies Prevention and Control. Under those circumstances, the provision was coded as "Compendium."

d. Certificate of Vaccination (Intrastate and Interstate):

- i. Type of Certificate:** There are multiple types of vaccination certificates, including both "rabies vaccination certificates," as well as certificates of veterinary inspection (CVI). In some circumstances, "rabies vaccination certificates" are explicitly required. In other circumstances, an "official health certificate" or a CVI is required. In the latter circumstance, laws were coded as having a certificate requirement only if the rabies vaccination had to be included on the certificate.

e. Exemptions from Certificate or Vaccination

- i. Vaccination Exemptions versus Vaccination Certificate Exemptions:** Both vaccination exemptions and vaccination certificate exemptions were captured. An explanation of whether the exemption is specific to the certificate will be found in the caution note.
- ii. Age:** Animals under the minimum vaccination age were not coded as being exempt from vaccination. They will be required to be vaccinated once they reach the minimum age.
- iii. Medical:** This exemption includes "general health exemptions" and language indicating that vaccination is "contraindicated."
- iv. Shelter:** This refers to when animals are exempted so long as they are raised or transferred to an animal shelter or pound.
- v. Public Safety:** This exemption narrowly applies to the situation when the state's law indicates that vaccination may be exempted "in the interest of public safety."

- vi. **Research/Education:** This exemption pertains to animals kept for research purposes at scientific or educational institutions or pharmaceutical companies. See e.g. Wis. Stat. Ann. § 174.054.
- vii. **Breeder/Dealer:** This refers to when animals are exempted so long as they are raised or transferred by or to a breeder or dealer.
- viii. **Kennel:** The exemption refers to when dogs kept in kennels and not allowed to run at large are not subject to vaccination requirements.
- ix. **Passing through/Short Time:** This exemption refers to animals whose owners are driving or otherwise moving through the state in a private vehicle with no intention to stay for an extended period. See e.g. Wash. Admin. Code § 16-54-170. Or when an animal can only be in the state for a short period of time such as 30 days or less. See e.g. Ala. Admin. Coder. 80-3-6-.22 and Minnesota Rules, part 1721.0500.
- x. **Exhibition/Show/Field Trial:** This refers to when animals brought in for the purposes of an exhibition, show, or field trial are exempted from the state’s rabies vaccination standards.
- xi. **Hunting:** This refers to when animals brought in for hunting are exempted from state’s rabies vaccination standards.
- xii. **Veterinary Procedure:** This refers to when animals brought in for the purpose of veterinary care are exempted from the state’s rabies vaccination standards.
- xiii. **Unclear:** This refers to when there was an exemption to a rabies vaccination section but that section did not require vaccination but rather only suggested vaccination.

f. Compendium

- i. **“Current” Compendium:** Some states indicated that they follow the standards set forth in the most current compendium. Language of the laws that were coded as “current” also include “issued annually,” “latest,” “as amended from time to time” and “most recent.” See e.g. Mich. Comp. Laws Ann. § 287.290.
- ii. **Adopted/Incorporated by Reference:** In reference to the compendium the language “approved” and “subscribes to” were not coded as adopted or incorporated but were included in the caution note.
- iii. **National Association of State Public Health Veterinarians (NASPHV):** When a law referenced the NASPHV standards without explicitly mentioning the Compendium, the law was still coded as referencing the Compendium. However, when the law mentioned a NASPHV certificate only it was not coded as referencing the compendium.

g. Excluded Laws

- i. **Human Exposure:** Laws regarding human exposure, including bite provisions, were outside the scope of this assessment.
- ii. Question 1 (Vaccination in state) and Question 2 (Vaccination entering the state)

1. **Post Exposure:** Laws regarding rabies vaccination after a bite or other exposure were outside the scope of this assessment.
2. **Rabies or Quarantine Areas:** Laws specific to outbreak areas were excluded from the scope of this assessment.
3. **Rabies Clinics:** Government-run rabies clinics were outside the scope of this assessment. See N.C. Gen. Stat. Ann. § 130A-187
4. **Sale/Barter/Exchange:** Laws specific only to the barter or exchange of animals were outside the scope of this assessment.
5. **Specific Facilities:** A number of facilities?including animal hospitals, pet stores, and certain other facilities (e.g., day care centers, nursing homes, foster care homes, camps)?have specific requirements for rabies vaccinations and were excluded from the scope of this assessment.
6. **Running at Large:** Laws specific to animals “running at large” were outside the scope of this assessment.
7. **Animals:**
 - a. **Wolves/Wolf-dog Hybrid:** Wolves and wolf-dog hybrids were outside the scope of this assessment.
 - b. **Dangerous Dogs:** Many states have specific provisions for “dangerous” dogs, but those were outside the scope of this assessment.
 - c. **Guard or Aid Dogs:** Requirements specific to guard dogs or aid dogs were outside the scope of this assessment.
 - d. **Racing Dogs:** Requirements specific to racing dogs (e.g., racing greyhounds) were outside the scope of this assessment.

This product was developed by Dawn Pepin, JD, MPH, Public Health Analyst, Cherokee Nation Assurance Contractor, Public Health Law Program with the assistance of Jennifer Meier, MPH, Lauren Tonti, JD, MPH, and Matthew Penn, JD, MLIS, Director, Public Health Law Program (PHLP) within the Centers for Disease Control and Prevention’s Center for State, Tribal, Local, and Territorial Support. PHLP provides technical assistance and public health law resources to advance the use of law as a public health tool. PHLP cannot provide legal advice on any issue and cannot represent any individual or entity in any matter. PHLP recommends seeking the advice of an attorney or other qualified professional with questions regarding the application of law to a specific circumstance.

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