

APA-1
11/96

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 420 Alabama Department of Public Health

Rule Number 420-4-4-.05

Rule Title Exceptions To Veterinary Confinement and Quarantine

 New XXXX Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? n/a

Are all facts of the rulemaking process designed solely for the purpose of and so they have as their primary effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of §41-22-23, Code of Alabama, 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of Certifying Officer [Signature] Date 12/17/2014



**FORM APA2
11/96**

**STATE BOARD OF HEALTH
NOTICE OF INTENDED ACTION**

AGENCY NAME: Alabama Department of Public Health

RULE NUMBER AND TITLE: 420-4-4-.05, Exceptions To Veterinary Confinement and Quarantine

INTENDED ACTION: Amend Rule 420-4-4-.05

SUBSTANCE OF PROPOSED ACTION: Exempts an animal that bites the owner or another person living in the same dwelling as the animal from a required veterinary exam on the tenth (last) day of the home quarantine period. Exemptions apply only to animals that otherwise meet all of the requirements for home quarantine [e.g. the bite was the result of a provoked incident, animal is currently vaccinated against rabies, and owner agrees to the existing requirements of home quarantine listed in 420-4-4-.05].

TIME, PLACE, AND MANNER OF PRESENTING VIEWS: A public hearing will be held at 10:00 a.m. on January 20, 2015, at the Alabama Department of Public Health, RSA Tower, Suite 1540, 201 Monroe Street, Montgomery, AL 36104.

FINAL DATE FOR COMMENTS AND COMPLETION OF NOTICE: Written or oral comments will be received until the close of the record at 5:00 p.m. on February 4, 2015. All comments and requests for copies of the proposed amendments should be addressed to the contact person listed below.

CONTACT PERSON AT AGENCY: Dee W. Jones, DVM, State Public Health Veterinarian, Bureau of Communicable Disease, Department of Public Health, 201 Monroe Street, Suite 1443, Montgomery, Alabama 36104. Telephone number (334) 206-5971 or (800) 338-8374.



Patricia E. Ivie, Agency Secretary

420-4-4-.05 Exceptions To Veterinary Confinement And Quarantine.

(1) Assistance Animals. Guide, hearing, and service dogs shall be exempt from the quarantine period specified in § 3-7A-1(10), Code of Ala. 1975, if exposures occur in the line of duty and evidence of immunization against rabies is presented. An assistance animal shall be examined by a licensed veterinarian ~~10~~ ten days after it exposes a human. Extended observation periods or additional testing may be required depending upon the animal's species, health status, circumstances of the exposure, and epidemiology of rabies in the area.

(2) Canine Corps Dogs. Canine corps dogs shall be exempt from the quarantine period specified in § 3-7A-1(10), Code of Ala. 1975, if exposures occur in the line of duty and evidence of immunization against rabies is presented. A canine corps dog shall be examined by a licensed veterinarian ~~10~~ ten days after it exposes a human.

(3) Home quarantine may be permitted at the discretion of the Health Officer only if all of the following conditions are met:

(a) The exposure was as a result of a provoked incident. A provoked incident occurs when a person creates a situation such that an expected reaction of the animal is to bite or attack (e.g., feeding, grabbing, threatening, etc.). An unprovoked incident occurs when an animal bites or attacks for no apparent reason.

(b) The animal is currently vaccinated against rabies.

(c) The owner or person responsible for the animal agrees to have the animal examined by a licensed veterinarian ~~10~~ ten days following the exposure. If the bite victim is an owner of the animal or lives in the same household as the animal, the Health Officer may permit home quarantine without requiring an examination by a licensed veterinarian on the tenth day of the quarantine.

(d) The animal is kept in an enclosed area (e.g., house, pen) in a designated confinement area (e.g., one room of house, one run. isolated at a kennel facility) to avoid interaction with people and animals other than a single caretaker.

(e) If during the period of home quarantine the animal dies or exhibits clinical signs suggestive of rabies as determined by a licensed veterinarian, the owner or person responsible for the animal shall immediately contact the county health department. The Health Officer shall notify the person exposed and his/her physician so the physician can determine if post-exposure treatment is indicated.

(f) The owner is responsible for securing the animal during the period of home quarantine. Should the animal expose a human or animal and/or if the animal escapes or disappears from home quarantine, the owner or person responsible for the animal shall immediately notify the county health department.

Authors: William B. Johnston, D.V.M., Dee Jones, D.V.M.

Statutory Authority: Code of Ala. 1975, §§3-7A-1 et seq., 22-2-2(6).

History: New Rule: Filed September 19, 1997; effective October 24, 1997; operative November 4, 1997. **Repealed and New**

Rule: Filed November 18, 2009; effective December 23, 2009.

Ed. Note: Guide dogs ("seeing eye dogs") included in Code of Ala. 1975.

Canine Corps dogs included in Code of Ala 1975. Home quarantine for owners approved April 14, 1994, by administrative order. Rule .08