

# STATE OF MAINE

## CHAPTER 251: RULES GOVERNING RABIES MANAGEMENT



**EFFECTIVE: SEPTEMBER 22, 2012**



Paul R. LePage, Governor

Mary C. Mayhew, Commissioner



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**10-144 DEPARTMENT OF HEALTH AND HUMAN SERVICES****MAINE CENTER FOR DISEASE CONTROL AND PREVENTION,  
DIVISION OF INFECTIOUS DISEASE****Chapter 251: RULES GOVERNING RABIES MANAGEMENT**

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**1. Authorization**

The Statutory Authority for Rules Governing Rabies Management is 22 M.R.S.A. §§ 1313, 1313-A, and 1313-B, and 7 M.R.S.A. §3913.

**2. Definitions**

- A. **Animal Control:** Control of dogs, cats, and domesticated or undomesticated animals in accordance with 7 M.R.S.A. §3948.
- B. **Animal Control Officer (ACO):** An agent charged with the control of dogs, cats, and domesticated or undomesticated animals or a person acting in that capacity that is appointed periodically by municipal officers pursuant to 7 M.R.S.A. §3947.
- C. **Animal Damage Control Cooperator (ADC):** Also referred to as an ADC agent, a cooperating trapper or hunter certified by the Department of Inland Fisheries & Wildlife and operating as an agent of the Department for purposes of animal damage control.
- D. **Confinement and Observation:** Term used to describe the period of time (10 days) that a domesticated dog, cat or ferret is to remain separate and apart from other animals and humans and observed after having bitten or otherwise exposed a human or another domesticated animal. Note that the term "10 day quarantine" is commonly used to describe this activity.
- E. **Confirmed Rabid Animal:** An animal that has been confirmed rabid by the Health & Environmental Testing Laboratory using the direct fluorescent antibody test of neural tissue.
- F. **Control:** To limit by reasonable means all unnecessary exposure of a suspect rabid animal to humans and other animals.
- G. **Currently Vaccinated:** Domesticated animals are considered currently vaccinated for rabies if at least 28 days has elapsed since the initial vaccination and the duration of vaccination has not exceeded the time period recommended for that species based upon the type of vaccine used. If a previously vaccinated animal is overdue for a booster, it should be revaccinated. Immediately after the booster, the animal is considered currently vaccinated and should be placed on a booster schedule depending on the label duration of the vaccine used. The Maine "Certificate of Rabies Vaccination" or a form approved by the Commissioner of the Department of Agriculture is proof of immunization.

- H. **Decapitate:** To remove the head of an animal using methods recommended by the Department of Agriculture.
- I. **Domesticated Animal:** Any of various animals that have been tamed and made fit for a human environment, including but not limited to dogs, cats, ferrets, or livestock.
- J. **Domesticated Ferret:** *Mustela putorius tura*, member of the weasel family. Bred by private and commercial breeders and has been domesticated since 600 AD. Domesticated ferret does not include the black-footed ferret.
- K. **Exposure:** Refers to the threat of rabies transmission when the virus is introduced into bite wounds, open cuts in skin, or onto mucous membranes from saliva or other potentially infectious material such as neural tissue.
- L. **Isolation:** Term used to describe the period of time (6 months) during which an unvaccinated animal that has been exposed to a rabid or suspect rabid animal should be strictly isolated when the owner is unwilling to have it euthanized. Isolation in this context refers to confinement in an enclosure that precludes direct contact with people or other animals. Note that the term "6 month quarantine" is commonly used to describe this activity.
- M. **Health and Environmental Testing Laboratory (HETL):** The public health laboratory that is part of the Maine Center for Disease Control and Prevention (Maine CDC), Department of Health and Human Services.
- N. **Livestock:** Horses, cows, sheep, camelids, goats, swine, domesticated deer or any other agricultural mammal.
- O. **Non-exposure:** Indirect contact by itself, such as being in the vicinity of an animal, petting or handling an animal, or coming into contact with the blood, urine, or feces of an animal, does not constitute exposure, and therefore does not require post-exposure vaccination.
- P. **Observation:** Term used to describe the period of time (45 days) that a vaccinated, domesticated animal is to be observed for signs of rabies after having been exposed to a rabid or suspect rabid animal.
- Q. **Owned Animal:** Domesticated animals, as well as animals in petting zoos and circuses, that have a known owner.
- R. **Rabies Management Guidelines:** A manual written by the Maine Rabies Work Group to provide information on rabies as a disease, to outline prevention and management of rabies exposure in humans, domesticated animals, and wildlife, and to help municipalities and animal care facilities develop rabies response plans. Pursuant to 5 M.R.S.A. §8056 (1)(8), the Third Edition of the Maine Rabies Management Guidelines, 2012 is hereby incorporated by reference into these rules. Copies of the Rabies Management Guidelines are available at cost from the APA Office.
- S. **Stray Animal:** Domesticated animals that have no known owner.

- T. **Suspect Rabid Animal:** Any mammal, domesticated or undomesticated, which is demonstrating signs consistent with rabies or which has exposed either a human or domesticated animal to rabies.
- U. **Undomesticated Animal:** A mammal considered to be wild by nature by the Department of Inland Fisheries & Wildlife.
- V. **Unvaccinated Animal:** An animal with no previous rabies vaccination; an animal whose first rabies vaccination was given less than 28 days prior to rabies exposure being evaluated; an animal who is not up to date on its rabies vaccination (the time interval from last vaccination to exposure incident has exceeded the amount of time indicated to be effective by the vaccine manufacturer); an animal for which no record of approved vaccination exists; or an animal for which no approved rabies vaccine exists.
- W. **Wild Animal Hybrid:** A mammal that is the offspring of a wild animal crossbred to a domesticated animal. This includes a mammal that is represented by its owner to be a wolf hybrid, coyote hybrid, coy dog, or any other kind of wild canid hybrid. Wild animal hybrids are considered wild animals by the National Association of State and Public Health Veterinarians and the Council of State and Territorial Epidemiologists, and should not be kept as pets.

### 3. Responding to reports of animals suspected of having rabies

#### A. Stray domesticated animals

- (1) Suspect rabid animals that are stray shall be controlled or captured by the ACO.
- (2) The ACO shall coordinate with and transport sick, stray animals suspected of having rabies directly to a veterinarian or, if a veterinarian is unavailable, to an animal shelter where it shall be placed in strict isolation until a veterinarian can examine the animal.
- (3) A law enforcement officer or ACO qualified to shoot may shoot in accordance with local ordinance or otherwise humanely euthanize a suspect rabid animal if harm to humans or other animals is imminent. The animal must not be shot in the head, nor must the head be destroyed or disposed of, but instead must be submitted to HETL for testing if there is any chance that there was contact between the suspect animal and humans or domesticated animals.
- (4) If testing of the suspect rabid stray animal is necessary, the ACO shall arrange for decapitation and assure transportation of the head to HETL. The carcass must be disposed of properly as per the "Animal Carcass Disposal" recommendations contained in the Rabies Management Guidelines.

#### B. Owned domesticated animals

- (1) Control and capture of owned domesticated animals is the responsibility of the owner or keeper.

- (2) The owner must coordinate with and transport sick animals directly to a veterinarian.
- (3) An owner of an animal suspected of having rabies must notify the municipality wherein the owner or animal resides.
- (4) The municipality may capture and control owned domesticated animals if the municipality regards the animal as a threat to public health.
- (5) A law enforcement officer or ACO qualified to shoot may shoot in accordance with local ordinance or otherwise humanely euthanize a suspect rabid animal if harm to humans or other animals is imminent. The animal must not be shot in the head, nor must the head be destroyed or disposed of, but instead must be submitted for testing.
- (6) If testing of the suspect rabid animal is necessary, the owner or keeper must arrange for decapitation of the animal and assure transportation of the head to HETL. The carcass must be disposed of properly as per the Rabies Management Guidelines. An ACO may assist in coordination if the municipality regards the animal as a threat to public health.

**C. Undomesticated animals**

- (1) A game warden shall assist the ACO in responding to reports of suspect rabid undomesticated animals.
- (2) If human or domesticated animal exposure has occurred, the undomesticated animal should be shot in accordance with local ordinance or otherwise humanely euthanized by a law enforcement officer, game warden, ADC agent or qualified ACO. The animal must not be shot in the head, nor must the head be destroyed or disposed of, but instead must be submitted to HETL for testing.
- (3) The Department of Inland Fisheries & Wildlife personnel shall prepare the animal and arrange for submission and transportation of the animal to HETL for rabies testing. The carcass must be disposed of properly as per the "Animal Carcass Disposal" recommendations in the Rabies Management Guidelines.

**4. Responding to reports of domesticated animals that bite or otherwise expose humans or other domesticated animals**

- A. **Unhealthy domesticated animals:** Any domesticated animal showing unusual behavior or signs of illness must be examined by a veterinarian to determine if testing is necessary.
- B. **Owned dogs, cats and ferrets:** Regardless of rabies vaccination status, healthy owned dogs, cats and ferrets must be confined for ten days from the time of exposure and observed daily for signs of rabies (as per Section 9). At the discretion of Maine CDC, currently vaccinated assistance, therapy, and police dogs may not be required to be placed in confinement during the observation period.

- C. **Stray dogs:** Must be confined and observed for ten days in a State-licensed animal shelter or euthanized and tested. Pursuant to 7 M.R.S.A. §3913(4), an animal shelter must hold a stray dog for at least eight days before euthanasia unless the dog is severely sick, severely injured or extremely vicious, in which case, pursuant to 7 M.R.S.A. §3913(6), euthanasia may occur immediately.
- D. **Stray cats:** Pursuant to 7 M.R.S.A. §3919-A, cats without identification must be held for 48 hours and feral cats must be held for 24 hours in a State-licensed animal shelter before euthanasia, then may be euthanized and tested with concurrence from the municipality and Maine CDC or be confined and observed daily for ten days at a state licensed animal shelter.
- E. **Other animals:** Other animals, including livestock, that might have exposed a person or other domesticated animal to rabies should be reported immediately to Maine CDC. Management of animals other than dogs, cats, and ferrets depends on the species, the circumstances of the exposure, the epidemiology of rabies in the area, the exposing animal's history, current health status, and the animal's potential for exposure to rabies.

**5. Responding to reports of undomesticated animals that bite or otherwise expose humans or domesticated animals**

- A. If an undomesticated animal suspected of having rabies bites or otherwise exposes a person or a domesticated animal to rabies, an ACO or game warden shall immediately either remove the undomesticated animal or cause the undomesticated animal to be removed, and euthanized for testing. The head must be submitted to HETL for rabies testing.
- B. If capture is not possible, or if imminent danger exists, the undomesticated animal may be shot in accordance with local ordinance by a law enforcement officer, game warden, ADC agent or qualified ACO. The animal should not be shot in the head, nor must the head be destroyed or disposed of, but instead must be submitted to HETL for testing.

**6. Responding to reports of wild animal hybrids that bite or otherwise expose humans or domesticated animals**

- A. If a wild animal hybrid, suspected of having rabies, bites or otherwise exposes a person or a domesticated animal to rabies, an ACO, game warden or law enforcement officer shall immediately cause the animal to be euthanized for testing.
- B. When in the judgment of the ACO, game warden or law enforcement officer, the animal poses an immediate threat to a person or domesticated animal, the ACO, game warden or law enforcement officer may immediately euthanize or order euthanized that animal without destroying the head.
- C. The ACO shall make arrangements for transportation of the head to HETL for rabies testing.

**7. Management of domesticated animals exposed to rabid or suspect rabid animals**

- A. Owned dogs, cats and ferrets with current proof of rabies vaccination that are exposed to a confirmed or suspect rabid animal or that are found to have wounds of unknown origin must be immediately boosted with rabies vaccine, kept under the owner's control and observed for signs of rabies for 45 days.
- B. Owned dogs, cats, and ferrets without proof of current rabies vaccination that are exposed to a confirmed or suspect rabid animal or that are inflicted with wounds of unknown origin should be euthanized immediately. If the owner is unwilling to have this done, the animal should be placed in strict isolation for six months. Isolation in this context refers to confinement in an enclosure that precludes direct contact with people and other animals. The animal must be vaccinated upon entry into isolation or up to 28 days before release.
- C. Stray dogs must be confined and observed for eight days in a State-licensed animal shelter pursuant to 7 M.R.S.A. §3913(4B) and then euthanized. A veterinarian may authorize euthanasia prior to the eight day isolation period (7 M.R.S.A. §3913(6)).
- D. Stray cats without proof of current rabies vaccination that are without identification must be held for 48 hours or that are feral must be held for 24 hours in a State-licensed animal shelter prior to euthanasia pursuant to 7 M.R.S.A. §3919-A. A veterinarian may authorize immediate euthanasia (7 M.R.S.A. §3919-A(4)).
- E. Stray ferrets without proof of current rabies vaccination must be euthanized immediately.
- F. Stray or owned wildlife hybrids must be euthanized regardless of vaccination status.
- G. **Livestock**
  - (1) All cases of confirmed exposure must be reported to the State Veterinarian, Department of Agriculture.
  - (2) Vaccinated livestock must be immediately boosted and observed for signs of rabies for 45 days.
  - (3) Animals that are not currently vaccinated for rabies must be euthanized or strictly isolated from other animals and have limited human contact while they are observed for a period of six months starting the day of the exposure.
  - (4) The use of the animal or the animal's by-products for human consumption is subject to the policies of the Maine Department of Agriculture and the U.S. Department of Agriculture.

**8. Management of humans exposed to rabid or suspect rabid animals**

- A. Potential human rabies exposures should be reported immediately to Maine CDC.
- B. Epidemiologists are available for consultation to assess potential exposures and make appropriate recommendations.



**9. Conditions of the confinement and isolation periods for domesticated animals**

- A. The duration and conditions of these periods, as stated on the official notices, start the day of exposure.
- B. The ACO must have access to the confinement or isolation area in the event that the municipality wishes to periodically check on the animal.
- C. The owner or keeper is responsible for confinement or isolation of a domesticated animal. If confinement or isolation is not possible on an owner's or keeper's property, the owner or keeper must make arrangements for that animal at a licensed boarding kennel or veterinary clinic. The owner or keeper assumes all responsibility and risk for ensuring proper confinement or isolation of a domesticated animal. If the municipality determines that a domesticated animal is a public health risk, the municipality may assume control of the confinement or isolation of the animal.
- D. The owner or keeper of that animal will be financially responsible for all confinement or isolation expenses incurred for a domesticated animal.
- E. If the animal shows any changes in health or behavior during the confinement or isolation period, the animal must be examined by a veterinarian who will determine if rabies testing is indicated. The veterinarian shall be informed by the owner or keeper that the animal is under confinement or isolation for rabies.
- F. If the animal escapes from confinement or isolation, the owner or keeper must immediately notify the ACO; however, the owner or keeper is responsible and assumes all risk resulting from an escaped animal.
- G. The owner or keeper may not sell, give away, euthanize or otherwise dispose of the animal during the confinement or isolation period.
- H. All animals must be examined at the end of the confinement or isolation period established in Section 4 of these Rules.
  - (1) The ACO shall visually inspect domesticated animals at the end of the ten-day confinement and observation period following exposure of a human or another domesticated animal.
    - (a) If any alteration of normal behavior is observed at the time of ACO inspection, the ACO shall require a veterinary exam for release.
    - (b) If a bite victim requests a veterinary exam following confinement and observation, the exam shall be ordered by the ACO and paid for by the owner or keeper.
  - (2) A veterinarian shall examine domesticated animals at the end of the six-month strict isolation period following exposure to a confirmed or suspected rabid animal.

- I. The suspect rabid animal may not roam at large nor be left outside unsupervised. The animal must not be taken from the confinement or isolation area except to be transported to a veterinarian for examination or euthanasia. During transport to and from the confinement or isolation area, the animal must be under the direct supervision of a responsible adult and must be on a leash or tether no longer than six feet.

## 10. Notification and reporting

Any persons bitten by any animal suspected of having rabies must immediately notify the municipality in which the bite occurred. The owner, keeper or person having possession and knowledge of any animal which has bitten any person or animal or of any animal which exhibits any sign of rabies must notify the municipality in which the bite occurred.

## 11. Decapitation and preparation of suspect rabid animals

- A. When decapitation and testing is recommended by Maine CDC:
    - (1) **Domesticated Animal:** A veterinarian shall decapitate and prepare domesticated animals that are to be tested for rabies.
    - (2) **Undomesticated Animal:** The Department of Inland Fisheries & Wildlife personnel shall prepare the animal and arrange for submission and transportation of the animal to HETL for rabies testing.
  - B. Procedures for decapitation and preparation of the suspect rabid animal and for transportation to HETL are detailed in the Rabies Management Guidelines.
  - C. Professionals that may assist in the coordination of transportation include, but are not limited to, ACOs, veterinarians, game wardens, and law enforcement officers.
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EFFECTIVE DATE:  
July 18, 1995

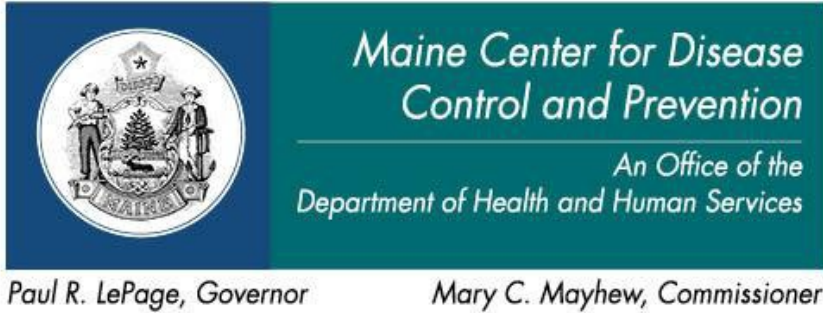
EFFECTIVE DATE (ELECTRONIC CONVERSION):  
May 19, 1996

AMENDED:  
August 25, 1998  
*(APA Office Note: the amendment was accompanied by a series of paper Appendix pages which are not part of the substantive text of the chapter. For copies of these pages, contact the Division of Disease Control.)*

NON-SUBSTANTIVE CORRECTIONS:  
November 23, 1998 - §2(X), §5(C-F reordered and renumbered), §7(C)

AMENDED:  
September 22, 2012 – filing 2012-272





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