

Rabies Legal Authority and Responsibilities

This individual chapter is part of the Rabies Prevention and Control in Florida guidance documents. The purpose of this compendium is to provide recommended policies and procedures for rabies prevention and control in Florida. It is intended primarily for use by county health department (CHD) staff, animal control specialists, veterinarians, health care providers and others with related responsibilities or interests. This publication, while produced and distributed by the Florida Department of Health (DOH), Division of Disease Control and Health Protection, has been developed by a multidisciplinary Florida Rabies Advisory Committee that represents the major agencies, institutions and organizations involved with rabies prevention and control in the state. The individual chapters and associated resources will be routinely updated and posted on the following website: [*www.floridahealth.gov/diseases-and-conditions/rabies/professionals.html](http://www.floridahealth.gov/diseases-and-conditions/rabies/professionals.html).

A. Legislative Authority

Please refer to the [Florida Rabies Related Statutes and Administrative Codes](#)* guidance document for additional information.

1. Chapter 381, Florida Statutes, "Public Health" authorizes the DOH to "administer and enforce laws and rules relating to sanitation, control of communicable diseases, illnesses and hazards to health among humans and from animals to humans, and the general health of the people of the state." Records maintained as a result of rabies exposure investigations are confidential and made public only when necessary to public health (Section 381.0011 (2), Florida Statutes).
2. Florida Administrative Code, Chapter 64D-3, "Procedures for Control of Specific Communicable Diseases" details general DOH policies and procedures related to rabies control including, but not limited to the following: 1) requiring that animal bites to humans by a potentially rabid animal be reportable to the county health officer, 2) establishing authority for quarantine, outlining quarantine requirements and specifying conditions for the transportation and removal of quarantined persons and animals, and 3) outlining procedures for preventing rabies in humans, managing animals involved in bite incidents and declaring area-wide quarantines. (Rules 64D-3.029-3.033, 3.036, 3.038-3.041)
3. Section 474.203(5) (a), Florida Statutes, "Veterinary Medical Practice" states that ".... only a veterinarian may immunize or treat an animal for diseases which are communicable to humans and which are of public health significance."
4. Section 828.30, Florida Statutes, "Cruelty to Animals" requires that all dogs, cats, and ferrets 4 months of age or older must be vaccinated by a licensed veterinarian against rabies with a vaccine that is licensed by the United States Department of Agriculture (USDA) for use in those species. The owner of every dog, cat, and ferret shall have the animal revaccinated 12 months after the initial vaccination. Thereafter, the interval between vaccinations shall conform to the vaccine manufacturer's directions. The cost of vaccination must be borne by the animal's owner." It also provides for exemptions, defines requirements for veterinarians to report essential information to animal control agencies, and defines penalties for violation of the law.
5. Chapter 585, Florida Statutes, "Animal Industry" requires that the Florida Department of Agriculture and Consumer Services (FDACS), Division of Animal Industry is

authorized to...establish, maintain, and enforce quarantine areas within the state, or the entire state...to protect animals in the state.

6. Chapter 379, Florida Statutes, "Wildlife" and Florida Administrative Code, Chapter 68A, "Florida Wildlife" outlines the basic authority of the Florida Fish and Wildlife Conservation Commission (FWC) and responsibility relative to wildlife.
7. Most counties and some municipalities conduct rabies control programs under the auspices of animal control ordinances that may have more strict requirements than state statutes.

B. Florida Department of Health Responsibilities

The effectiveness of the rabies control program is dependent upon the coordinated efforts of several official agencies in collaboration with allied organizations, institutions and associations. Specific responsibilities of DOH represent official policies and procedures. Those presented for other agencies and allied providers only represent suggested activities that might appropriately augment any collaborative community rabies control initiative.

1. County Health Departments (CHDs)

Contact: local CHD www.floridahealth.gov/

Statutorily (Chapter 381, Florida Statutes and Florida Administrative Code, Chapter 64D-3), the CHDs Director/Administrator has primary responsibility for the management of human exposures to rabid or suspect rabid animals and control of animal rabies including quarantine. CHDs may elect to engage in memoranda of agreement with other agencies to transfer certain responsibilities and activities. Collaborating agencies may include animal control, the FWC, sheriff's offices, the local veterinary community, the Department of Environmental Protection (DEP) and other CHDs.

- Investigate human and animal rabies exposure incidents. Ensure that health care providers of exposed persons are informed about appropriate treatment recommendations, in consultation with the DOH Division of Disease Control and Health Protection when necessary. Maintain proper records as required.
- Conduct an epidemiological investigation in every instance where a laboratory report indicates a positive case of rabies to elicit all possible persons or animals exposed.
- Ensure that local rabies control ordinances are established and updated as appropriate.
- Ensure, working with private health care providers, that rabies vaccine and human rabies immunoglobulin (HRIG) is available in the community within 24 hours of the rabies exposure diagnosis.
- Collect and maintain confidentiality of animal bite reports and related investigation notes.
- Report all cases in which a person receives or is recommended to receive post-exposure prophylaxis (PEP) via Merlin to the DOH Bureau of Epidemiology (BOE).
- Report all monkey bites that could result in Herpes B virus infection via Merlin to the DOH BOE.

- Segregate, quarantine, and destroy domestic and wild animals having or suspected of having rabies.
- Facilitate human rabies PEP vaccinations for those in need.
- Arrange for specimen collection and expedited transportation of specimens to the DOH Bureau of Public Health Laboratories for analysis.
- Continually assess rabies trends, and when appropriate (see [Rabies Epidemic Control Measures guidance document*](#)), declare a community “Alert” or “Quarantine,” and conduct a public information campaign.
- Inform the DOH BOE of cases involving quarantine or testing of unvaccinated livestock in a timely manner.
- In cooperation with other parties as necessary, ensure that confined animals are kept in isolation in safe, sanitary, and humane conditions.
- As appropriate, facilitate pre-exposure vaccination of those at high risk of rabies exposure.
- In some counties, the CHD Director/Administrator has delegated responsibility for carrying out certain portions of this responsibility (such as collection of animal bite reports, investigation of bite incidents, and confinement of biting dogs and cats) to local animal control or other appropriate agencies through the development of local ordinances and intergovernmental agreements.

2. Bureau of Epidemiology (BOE)

Contact: (850) 245-4401

- Develop appropriate regulations and procedures and update standards for statewide human rabies prevention and control activities.
- Provide technical assistance (such as advice regarding rabies post-exposure prophylaxis, animal quarantine, risk assessment, and animal testing) to CHDs.
- Coordinate animal exposure investigations as appropriate with FWC and the FDACS. Inform FDACS Animal Industry of cases involving quarantine or testing of unvaccinated livestock in a timely manner.
- Approve rabies quarantines.
- Assist in coordination of interstate activities for the follow-up of animal bite and suspected rabies cases.
- Collect and collate data to monitor and evaluate program's effectiveness in preventing human rabies and cost of inappropriate post-exposure treatment.
- Conduct statewide rabies surveillance.
- Submit reports to the Centers for Disease Control and Prevention (CDC) on the number of animal rabies cases identified statewide and provide periodic rabies reports and information to CHDs.
- Issue press releases and maintain Internet websites with information related to rabies, rabies quarantine, location of outbreaks, and rabies incidents of public interest.

- Serve as the liaison for: 1) other state agencies for the implementation of cooperative programs; 2) other states for the exchange of information and follow-up of animal bite incidents and rabies; and 3) other countries (especially those in the Caribbean, Central and South America, through the Pan American Health Organization and the World Health Organization [WHO]), for the exchange of information and follow-up of animal bite incidents and rabies.
 - Inform FDACS of cases involving domestic animals in a timely manner.
 - Convene annual meeting of the Florida Rabies Advisory Committee (RAC) to update state compendium.
3. Bureau of Public Health Laboratories (BPHL)
Contact: see the [DOH BPHL Rabies Test Form](#)* for more information
The BPHL, with locations in Jacksonville, Miami, and Tampa, is the sole source of rabies diagnostic testing in Florida. Testing for surveillance purposes is available through other DOH-approved sources.
- Examine brain specimens by use of the Direct Fluorescent Antibody (DFA) technique (the CDC standard rabies diagnostic technique). Conduct monoclonal antibody (MAB) testing on samples from positive terrestrial mammals that are not analyzed using molecular typing to identify rabies variants in the state.
 - Enter results into Merlin within one working day. Provide hard copy reports to agencies not using Merlin by mail or fax within one working day.
 - Report to submitting agency immediately by telephone any animal that tests positive for rabies or unsatisfactory for testing.
 - Report to BOE on a monthly basis, the total number and species of all specimens examined (positive and negative).
4. Bureau of Public Health Pharmacy (BPHP)
Contact: (850) 922-9036; after-hours for County Health Departments: 850-445-9446
- **In the event of an unanticipated local or industry shortage, BPHP will order, stock, and ship human vaccine and human rabies immune globulin (HRIG) to a CHD on request within one working day of the request.**
 - Monitor emergency stockpile for inventory control and dating.
 - Store and ship as per manufacturer's guidelines.
 - Obtain payment for vaccine and HRIG from the CHD.
 - Prepare and disseminate advisories to CHD and BOE regarding the availability or recall of rabies pharmaceuticals or changes in BPHP policies related to rabies pharmaceuticals.

C. Responsibilities of Other Agencies and Contributions by Allied Providers

1. Florida Animal Control Agencies and Florida Animal Control Association (FACA)
Contact: (786) 505-FACA (3222)
Disparate levels of funding, coupled with a lack of statewide statutory mandates, create unique situations for each county. Activities for local animal control include, but are not limited to: 1) coordination of licensure programs; 2) enforcement of vaccination

requirements; 3) initiation of home confinement; and 4) provision of confinement for animals for which home confinement is not suitable. Larger units may be involved in oral vaccine programs or low-cost veterinary services. In all cases, the county, in concert with the local veterinary community and the CHD, share a joint responsibility for dissemination of accurate and timely rabies information. In quarantine situations, counties may assist in the establishment of vaccine clinics as part of an overall epizootic situation.

FACA has established uniform standards for personnel, training, and facilities. These standards should be adopted by animal control agencies. Local (city/county) animal control offices maintain regular liaison with the DOH BOE for the purpose of coordinating and unifying statewide prevention and control efforts and disseminating information related to rabies. This is achieved through periodic meetings with members of the Association, local meetings with concerned groups, correspondence and telephone calls. By arrangement with the local CHD, local Animal Control Units may be responsible for:

- Collecting and managing information relating to suspect rabies exposures through interagency agreement with CHD (see [Model Memorandum of Agreement for Rabies Control Activities*](#)). All information collected on these reports is confidential, exempt from the provisions of Sections 119.07 (1) and 381.0031, Florida Statutes.
- Capture/confinement of domestic animals and, in some areas, the capture and euthanasia of rabies vector species involved in potential exposure incidents or as deemed necessary by the animal control authority.
- Enforcing area quarantine, including euthanasia of rabies vector species, established by the local CHD.
- Advising the local CHD of individual home confinement and the release date.
- Assisting or providing decapitation services for laboratory analysis.

2. Florida Fish and Wildlife Conservation Commission (FWC)

Contact: (850) 488-6253

The FWC's authority and responsibilities are derived from the Florida Constitution (Article IV, Section 9), state statutes and executive orders of the Governor. The majority of the state statutes that pertain to the FWC are found in Chapter 379, Florida Statutes. The mission of the FWC is "managing fish and wildlife resources for their long-term well-being and the benefit of people." The agency's authority over the regulation of wildlife includes taking for recreational and commercial uses, as well as possession of wildlife for exhibition, sale, or personal use. FWC regulations ban people from intentionally feeding raccoons, bears, foxes, and sand hill cranes [Rule 68A-4.001 (3)]. Violators can be charged with a second-degree misdemeanor, punishable by a \$500 fine and 60 days in jail.

The FWC regulates the wildlife industry and has specialized captive wildlife investigators to perform inspections of zoos, circuses, importers, exporters, venomous snake dealers, alligator farms, pet shops, and exotic bird dealers. Inspectors seize illegally possessed wildlife, recapture captive wild animals that have escaped from zoos and private animal keepers, and investigate cases involving wildlife possession to ensure appropriate permits have been acquired. Other FWC personnel who may

become involved with rabies/bite issues include law enforcement officers, wildlife biologists, and wildlife veterinarians. FWC provides several wildlife-related services including:

- Response to requests from the CHD to assist in the seizure of captive wildlife for rabies examinations. The FWC becomes involved when such wildlife has bitten or scratched individuals (other than the immediate family) and the owner/possessor refuses to surrender it to health authorities. Most common wildlife, such as raccoons and skunks, may only be possessed under permit from the FWC (68A, Florida Administrative Code). Permit requirements specify that wildlife must be born in captivity (raccoons, skunks, fox, bats, white tail deer), and held safely and in a manner that does not pose a safety threat to non-family members (68A-6.002., Florida Administrative Code). **All permits for species at high risk for rabies include a warning to pet owners that the animal must be tested for rabies if it bites a person or exposes a person to saliva** (see [Rabies and Wildlife Pets*](#)).
 - Assistance with the destruction of rabies vector wildlife in limited situations. The FWC will attempt to respond when such wildlife is acting in an aggressive manner and has attacked or presents an immediate physical threat to citizens. (The agency cannot respond to reports of the mere presence of rabies vector wildlife in neighborhoods during rabies alerts or otherwise.)
 - Assistance with management of outbreak/epidemic control by disseminating rabies-related information to persons permitted to possess or handle wildlife. Information could include prohibitions and/or sanctions that may be imposed by the CHD (i.e., translocation issues, transport of wildlife to rehabilitators, prohibition of feeding wildlife).
 - Assistance with the dissemination of rabies-related information to hunters, trappers, nuisance animal control agents, zoos, game farms, hunting preserves and fox/coyote enclosure owners.
 - Limited technical assistance to cooperators regarding wildlife capture and handling methods and techniques.
 - Assistance in providing locations of wildlife permit holders licensed by the FWC in the various counties.
3. Florida Department of Agriculture and Consumer Services, Division of Animal Industry
 Contact: (850) 410-0900
 This agency cooperates in the confinement and disposition of farm animals suspected of infection with, or exposure to, rabies. FDACS also requires that dogs and cats imported into the state be accompanied by a health certificate stating that the dog or cat is free from symptoms of communicable disease and did not originate within an area under quarantine for rabies (Rule 5C-3.009, Florida Administrative Code). FDACS is responsible for overall assistance and management of disease issues of livestock (including horses) and show/zoo animals. Responsibilities include:
- Management of livestock in quarantine-delineated areas.
 - Enforcement of quarantine, as needed.
 - Approval of rabies vaccines and tests for animals.
 - Management of disease issues for show animals and zoo populations.

- Establishment of restrictions of importing animals known to have rabies into the state.
4. Florida Department of Environmental Protection (DEP), Division of Recreation and Parks
Contact: (850) 245-3104
Within DEP, the Division of Recreation and Parks (Florida State Parks) and the Office of Coastal and Aquatic Managed Areas (state aquatic preserves and National Estuarine Research Reserves) are responsible for controlling populations of rabies vectors (e.g., raccoons, foxes and feral cats) in public use areas, particularly during epizootics, to reduce the risk of exposure to visitors.

DEP discourages the feeding of wildlife and also provides information to the public regarding avoidance of animal bites, encourages visitors to report bite incidents to rangers and reports rabies outbreaks and animal bite incidents to the appropriate CHD.
 5. Florida Veterinary Medical Association (FVMA), Florida Medical Association (FMA) and Florida Osteopathic Medical Association (FOMA)
Contact: FVMA (800) 992-3862, FMA (800) 762-0233, FOMA (850) 878-7364
The FVMA maintains liaison with the DOH's BOE for dissemination of information concerning rabies guidelines through its publications. Veterinarians are responsible for reporting potentially rabid animals or noting trends in their respective communities. Further, veterinarians play the primary role in maintaining a high level of vaccinated pets. In rabies quarantine situations, the private community, through their local association, may assist in the provision of vaccine clinics.

The FMA and FOMA can assist by educating hospital emergency rooms and primary care providers/clinics to promptly report suspected human exposures to rabies to the CHD and to provide appropriate post-exposure prophylaxis.
 6. State and Local Law Enforcement (includes: Florida Highway Patrol and county sheriffs' offices)
Contact: local agency; Florida Highway Patrol (for local offices: www.flhsmv.gov/locations/)
When required, state and local law enforcement agencies will provide assistance to the County Health Officer as needed to fulfill the rabies control requirements detailed in Chapter 64D-3, Florida Administrative Code. Police dogs that bite people are exempted from confinement provided that they have current rabies vaccination that was administered by a licensed veterinarian (Section 767.16, Florida Statutes).
 7. The Centers for Disease Control and Prevention (CDC)
Contact: (404) 639-1050
As an agency of the U.S. Department of Health and Human Services, this federal agency maintains liaison with the DOH for the disposition of dogs arriving in Florida from foreign countries, provides current information about rabies in foreign countries and other states, provides consultations with BOE to help provide guidance for health care providers, veterinarians and the general public regarding appropriate pre- and post-exposure immunization procedures and other rabies prevention and control measures. Technical assistance includes: consultation and assistance with difficult rabies prophylaxis and risk assessments; ante-mortem laboratory testing for suspected

human rabies cases; national rabies testing guidelines, and conducting molecular testing for rabies virus variants to characterize epizootics.

8. U.S. Department of Agriculture (USDA), APHIS (Animal and Plant Health Inspection Service)
Contact: (352) 375-2229
USDA APHIS Veterinary Services is the federal agency which licenses animal rabies vaccine and cooperates in the confinement and disposition (slaughter or destruction) of farm animals with suspected or confirmed exposure to rabies. USDA APHIS Wildlife Services coordinates the national oral rabies vaccine (ORV) program. USDA Animal Care assists with rabies exposures for some exotic animal species on public display including non-human primates.
9. U.S. Department of Interior (Fish and Wildlife Service, Park Service, Forest Service)
Contact: (202) 208-3100
This federal agency manages multiple-use resources, including wildlife, in concert with or separate from the FWC. Regulations apply to minimize risk of exposure by potentially rabid wildlife in campgrounds and other high-traffic public-use areas.
10. Humane Society Organizations
Contact: local organization
While the mission of humane organizations is to prevent cruelty to animals, these are important groups involved with community rabies control. Some municipal animal shelters are operated by local humane society chapters. These shelters may be responsible for housing dogs or cats for rabies observation when potential human exposures occur. The humane societies may also provide animal control services via contract, thereby, playing an integral role in enforcement activities associated with rabies vaccinations, animal bite investigations, and confinements. They also contribute to the control of stray dog and cat populations. In this regard, shelter policies must conform to state and local rules and regulations related to rabies prevention and control.
11. Kansas State University (KSU) Rabies Laboratory
Contact: (785) 532-4483; www.ksvdl.org/rabies-laboratory/
Available for fee-based animal rabies surveillance testing with consent of the appropriate CHD and provides sequencing data on select diagnostic samples as a public health service.
12. University of Florida
Contact: www.ufl.edu/
Conducts research to better understand rabies ecology in Florida.
13. World Health Organization (WHO) and Pan American Health Organization (PAHO)
Contact: WHO www.who.int/rabies/en/
PAHO (202) 974-3000;
www.paho.org/hq/index.php?option=com_topics&view=article&id=46&Itemid=40766&lang=en
These international health agencies provide reciprocal assistance in surveillance, confinement and recommendations/guidelines for follow-up of animals involved in bites to humans. The WHO has been collecting rabies data electronically on a yearly basis

through "Rabnet," an interactive information system able to generate interactive maps and graphs using human and animal rabies data: www.who.int/rabies/en/.

D. Additional Resources

*Additional rabies guidance, information, and resource documents can be found at the following website: www.floridahealth.gov/diseases-and-conditions/rabies/professionals.html.