

**A GENERAL OVERVIEW OF NEW YORK STATE LAW AND NEW YORK CITY LAW
GOVERNING THE VACCINATION OF ANIMALS AGAINST RABIES AND
FREQUENTLY ASKED QUESTIONS FOR BOTH THE VETERINARIAN AND THE OWNER**

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Rabies is a viral infection of the nervous system that can affect any mammal. Currently there is no known cure for rabies in animals or humans. While rabies is found throughout the world, there are a few countries and islands, like Hawaii, that have been deemed to be rabies free. These countries and states have strict entry laws for animals, and it is important to review the local laws of each state and country when an animal is to be transported and/or relocated.

Transmission is almost always from a bite of an infected animal. The rabies virus is transmitted when the saliva of an infected animal comes into contact with an open wound (e.g., bite wound) or mucous membrane.

Vaccination is crucial in the fight to stop the spread of rabies and is therefore required for certain species by New York State and New York City law. It is a best practice to vaccinate all animals for whom there is a United States Department of Agriculture (“USDA”) rabies vaccine available. At a minimum, it is important to ensure that compulsory vaccinations are given to cats, dogs and domestic ferrets as mandated by New York State. Likewise, New York City mandates the vaccination of dogs, cats and horses.

I. NEW YORK STATE

Section I describes the New York State requirements for the vaccination of animals against rabies and other issues related to rabies. New York City is exempt from these state requirements and is governed by its own local law.¹ Section II below describes the local law of New York City. Section III describes the requirements that must be met to conduct a rabies vaccination clinic, which are applicable to both New York State and New York City.

¹ NY Pub Health § 2146.

A. MANDATORY RABIES VACCINE ADMINISTRATION

What animals are required to be vaccinated for rabies in New York State?

All dogs, cats and domesticated ferrets are required to be vaccinated for rabies in New York State.²

Are there exceptions to New York State's mandatory rabies vaccination law?

Yes. The following animals are not required to be immunized for rabies under New York State law:

- (1) Feral Animals;³
- (2) Dogs, cats and ferrets traveling through New York State for fifteen (15) or fewer days;
- (3) Dogs, cats and ferrets living in an animal shelter;
- (4) Dogs, cats and ferrets whose health is determined to be adversely affected by the vaccination for rabies by a licensed veterinarian; and
- (5) Dogs, cats and ferrets confined for the purposes of research to the premises of a college or other educational or research institution.⁴

B. PROPER RABIES VACCINE ADMINISTRATION

When must an animal be vaccinated for rabies?

An initial rabies vaccination must be administered no later than four months of age. A requisite second rabies vaccination must be given within one year of the initial vaccination (the "Immunization Process"). Thereafter, the animal shall be given booster immunizations in accordance with the vaccine manufacturer's instructions. Vaccines can be valid for one to three years before a booster is required based on the USDA approved product labelling. It is up to the discretion of the veterinarian to determine which brand of USDA approved rabies vaccine to use.

A vaccinated animal exposed to a rabid or suspected rabid animal must be given a rabies booster within five days of exposure.

² NY Pub Health § 2141(1). While not mandatory, a veterinarian may in his clinical judgment recommend the vaccination of certain other animals. Where an approved vaccination for a certain animal does not exist, the animal may be vaccinated off label at the discretion of the treating veterinarian.

³ "Any cat, dog or ferret that is born in the wild and is not socialized, is the offspring of an owned or feral cat, dog or ferret and is not socialized, or is a formerly owned cat, dog or ferret that has been abandoned and is no longer socialized." NY Pub Health § 2140(13).

⁴ NY Pub Health § 2141(2)(a) –(d).

An animal who is overdue for a booster need not start the Immunization Process over again. Under both New York State Law and national guidelines, the vaccine product is considered effective for the full length of the licensed duration, even if the animal was overdue for a booster, regardless of how long overdue the animal might be for the booster.

Who may administer a rabies vaccination for it to be valid in New York State?

A rabies vaccination may only be administered by licensed veterinarians or licensed veterinary technicians working under the direct supervision of the veterinarian.⁵

When is an animal determined to be actively vaccinated?

Active immunization begins fourteen days following a primary vaccination or immediately following a booster vaccination, and continues for the period stated in the manufacturer's instructions.⁶

C. RECORDKEEPING RETENTION AND DISCLOSURE

What proof of rabies vaccination must be issued? Who can issue the certificate of immunization?

A certificate of immunization needs to be issued to the owner upon the administration of a rabies vaccination to an animal. To be valid, the certificate of immunization must be a signed document issued by the veterinarian administering the vaccine, which includes the following information: name and address of the owner; date or dates of vaccination; type of vaccine administered and duration of immunity; amount and manner of administration; name of manufacturer of the vaccine; and the lot number and expiration date of the vaccine.⁷

Individualized certificates of immunization are required for animals. However, the certificate of immunization for domestic livestock, which include cattle, horses, and sheep may include multiple animals.

What documentation must a veterinarian disclose relating to the vaccination and treatment of its animals?

Ordinarily, veterinarians may not produce the medical records or vaccination information for an animal without the consent of the owner except in certain limited circumstances. Disclosure is

⁵ 2. Section 1.12(2) of the New York State Education Department - Office of the Professions Practice of Veterinary Medicine and Veterinary Technology Practice Guidelines (the "Practice Guidelines") provide that "w[hen] an individual is practicing under the direct supervision of a licensed veterinarian, the veterinarian must be on the same premises as the person under supervision." A full copy of the Practice Guidelines can be found at <http://www.op.nysed.gov/prof/vetmed/vetmedpg.pdf>.

⁶ NY Pub Health § 2140(1).

⁷ NY Pub Health § 2140(5).

authorized to be made to law enforcement officers, animal welfare agencies and certain other enumerated persons: (1) in cases of suspected neglect or abuse of the animal;⁸ and (2) where disclosure is necessary to protect the health of the animal or a person.⁹ New York law also requires a veterinarian, upon request, to provide any public health official with the certificate of rabies immunization in the case of possible rabies exposure to or by the animal under the veterinarian's care.¹⁰

Do copies of the Certificate of Immunization for rabies need to be retained by the veterinarian?

Yes. It is important that veterinarians keep a copy of the original rabies certificate of immunization. New York law requires a veterinarian to be able to produce the certificate of immunization upon request. Therefore, it is a best practice to request a copy of the certificate of immunization from the client if the animal was vaccinated by another veterinarian and keep this as part of the animal's records. This will ensure compliance with the law.

What to do if presented with questionable rabies vaccination documentation?

The Centers for Disease Control and Prevention ("CDC") recommends veterinarians request original rabies vaccination certificates (and English translations were applicable). Indicia of potentially forged vaccination records include: (1) inability of client to produce original rabies vaccination certificate (photocopied or manipulated documents should raise red flags); (2) presentment of a rabies vaccination certificate of unknown origin; (3) the reported age of the animal does not match the physical appearance of the animal (e.g. the record indicates the puppy was vaccinated at 4 months old, but the puppy appears to only be 6 weeks old); (4) information or signatures are missing; (5) no veterinarian's name or contact information appears on the rabies certificate, and (6) the vaccine information listed is unfamiliar or wrong. The presence of any one of these scenarios could signify a falsified record. Veterinarians are encouraged to contact their local health department and any veterinarian listed on the purported rabies immunization certificate. If the rabies immunization record is not able to be verified, the animal should be revaccinated to ensure proper immunization.

Do rabies vaccinations need to be reported to New York State outside of New York City?

Unlike New York City, New York State does not mandate the reporting of all rabies vaccinations but rather requires that the veterinarian disclose such information on demand in accordance with state law.

⁸ NY Educ. § 6714(2)(a).

⁹ NY Educ. § 6714(2)(b).

¹⁰ NY Pub Health § 2141(1).

What reporting requirements are there for suspected cases of rabies?

All animal bites and suspected cases of rabies should be reported to the county health department.

Counties are responsible for developing rabies control protocols and are the best resource for reporting and information on rabies outbreaks and protocols. County health agencies are also responsible for managing animal bites and exposure of domestic animals to known or suspected rabid animals. Below is a listing of contact information for each county health agency:

	Business Hours	After Hours Emergency
Albany	(518) 447-4620	(518) 447-4614
Allegany	(585) 268-9250	(585) 266-9600
Broome	(607) 778-2887	(607) 778-1911 (County Dispatcher)
Cattaraugus	(716) 373-8050	(716) 373-8050
Cayuga	(315) 253-1405	(315) 253-1560
Chautauqua	(716) 753-4491	(716) 753-4231
Chemung	(607) 737-2019	(607) 737-2044
Chenango	(607) 337-1673	(607) 337-1660
Clinton	(518) 565-4870	(518) 561-3370 (Fire Control)
Columbia	(518) 828-3358	(518) 828-3344
Cortland	(607) 753-5035	(607) 753-3311 (Sheriff's Office)
Delaware	(607) 832-5200	(607) 746-2336
Dutchess	(845) 486-3404	(845) 431-6465
Erie	(716) 961-6800	(716) 961-7898 (MERS)
Essex	(518) 873-3500	(888) 270-7249
Franklin	(518) 481-1709	(877) 410-5753 (Press 5 for On-Call Nurse)
Fulton	(518) 736-5720	(518) 736-2100 (Non-Emergency Sheriff)
Genesee	(585) 344-2580	(585) 343-5000
Greene	(518) 719-3600	(518) 622-3344
Hamilton	(518) 648-6497	(518) 548-3113
Herkimer	(315) 867-1176	(315) 867-1176
Jefferson	(315) 786-3720	(315) 786-3770
Lewis	(315) 376-5453	(315) 376-5200
Livingston	(585) 243-7280	(585) 243-7100
Madison	(315) 366-2361	(315) 366-2361
Monroe	(585) 753-5171	(585) 753-5905
Montgomery	(518) 853-3531	(518) 853-5500 (Sheriff's Office)
Nassau	(516) 227-9663	(516) 742-6154

New York City	Providers call = 866-692-3641 Public's call = 646-632-6074	(212) POISONS (764-7667)
Niagara	(716) 439-7444	(718) 439-7430
Oneida	(315) 798-5064	(315) 798-5064
Onondaga	(315) 435-3165	(315) 435-3165
Ontario	(585) 396-4343	(585) 394-4560
Orange	(845) 291-2331	(845) 291-2331
Orleans	(585) 589-3278	(585) 589-5527
Oswego	(315) 349-3564	(315) 341-0086
Otsego	(607) 547-4230	(607) 547-1697
Putnam	(845) 278-6130	(845) 278-6130, extension 3
Rensselaer	(518) 270-2655	(518) 857-4660 (To page On-Call Person)
Rockland	(845) 364-2594	(845) 364-8600 (Sheriff's Office)
St. Lawrence	(315) 386-2325	(315) 319-2500
Saratoga	(518) 584-7460	(518) 584-7460
Schenectady	(518) 386-2818	(518) 437-7878
Schoharie	(518) 295-8382	(518) 295-8114 (Sheriff's Office)
Schuyler	(607) 535-8140	(607) 535-8222 (Sheriff's Office)
Seneca	(315) 539-1945	(315) 539-9241 (Sheriff's Office)
Steuben	(607) 664-2438 (800) 724-0471 (toll-free)	(800) 836-4444 (Sheriff's Office)
Suffolk	(631) 853-3055	(631) 852-4820
Sullivan	(845) 292-5910	(845) 292-5910
Tioga	(607) 687-8563	(607) 687-8600 (Sheriff's Office)
Tompkins	(607) 274-6688	(607) 274-6688
Ulster	(845) 340-3010	(845) 334-2145
Warren	(518) 761-6580	(518) 761-6580
Washington	(518) 746-2400	(518) 746-2400
Wayne	(315) 946-5749	(315) 946-9711 (Ask for On-Call Person)
Westchester	(914) 864-7359	(914) 813-5000
Wyoming	(585) 786-8894	(585) 786-2233
Yates	(315) 536-5160	(315) 536-4438

D. RAMIFICATIONS FOR UNDOCUMENTED AND/OR UNVACCINATED ANIMALS

What penalties are associated with failure of owners to vaccinate their animals for rabies?

An owner of a dog, cat or ferret, not exempt from rabies immunization, is subject to a fine up to \$200 for failing to vaccinate for rabies.¹¹

What risks do owners expose their animals to by failing to immunize and/or properly document their animals?

The most serious risk is that the animal could be exposed to rabies and potentially die as a result of the infection. Rabid domestic animals may also expose humans to the rabies virus necessitating the exposed individuals to receive rabies post-exposure prophylaxis in order to prevent them from contracting rabies.

If an unvaccinated animal is bitten or comes in direct contact with a rabid animal, there is a mandatory quarantine requirement. The location and terms of the quarantine are determined by the local health department and any costs associated with quarantine are the responsibility of the animal's owner. If the owner is unwilling to pay the expense or gives consent, the animal can be euthanized immediately. However, if the animal was currently vaccinated for rabies at the time of an exposure to rabies, the animal will require only a rabies vaccine booster within five days of the date of exposure.¹²

While the 2016 Compendium of Animal Rabies Prevention and Control, published by the National Association of State Public Health Veterinarians, recommends reducing the quarantine period for unvaccinated cats and dogs from six (6) months to four (4) months, this is not yet the law in New York State. The New York State Department of Health ("DOH") will be working to update the current law, but this process will take some time. Accordingly, it is important to adhere to the current quarantine law in place requiring six (6) months for unvaccinated cats and dogs.

E. ACCESS TO RABIES VACCINATIONS

What if an owner cannot afford the costs associated with vaccination of the animal for rabies?

In light of compulsory rabies vaccination requirements for cats, dogs and domestic ferrets, New York State mandates that free rabies vaccinations be provided by the counties. Each county, excluding those within New York City, is required to host a free rabies vaccination clinic open to its local residents at least once every four months. While donations may be solicited, the rabies

¹¹ NY Pub Health § 2141(4).

¹² 10 NYCRR §2.14(f) & (g).

clinic must advertise that vaccinations for local residents are available free of charge. Counties may, however, charge a fee for vaccinations provided to non-county residents at its discretion.¹³

Information about county-sponsored clinics can be obtained from your local health department. The DOH website maintains a list of available clinics by county, with the date, time and location of each clinic.¹⁴

F. ANIMAL EXHIBITION SPECIAL CONSIDERATIONS

Do animals being shown at fairs need to be vaccinated?

Yes. New York Law requires that any animal in a fair and over the age of four months, must be vaccinated for rabies if there is a rabies vaccine available for the animal's species. However, individual fairs can have additional requirements, so it is important that the local rules and regulations be obtained for each exhibition.¹⁵

II. NEW YORK CITY

As noted, New York City is exempt from the New York State Public Health rabies laws and is governed by its own local law.¹⁶ This Section II describes the requirements for New York City.

A. MANDATORY RABIES VACCINE ADMINISTRATION

What animals must be vaccinated for rabies in New York City?

Compulsory rabies vaccination in New York City differs from that of New York State, requiring mandatory rabies vaccination for dogs, horses, and cats four months and older. All dogs and cats must also be vaccinated against rabies before being sold or given away.¹⁷ Unlike, New York State, New York City does not require compulsory vaccination of ferrets as they are illegal to own in New York City.¹⁸

All horses who are owned, boarded, used or brought into New York City must receive rabies vaccinations annually.¹⁹ It is important to remember that the horse need not reside in New York

¹³ NY Pub Health § 2145(1)(f) and(7).

¹⁴ https://www.health.ny.gov/press/releases/2015/2015-05_rabies_clinics/clinics.htm. An updated list for 2016 has not yet been released. Each County Health Department also maintains a list of their free rabies clinics for the year.

¹⁵ 1 NYCRR § 351.4(a).

¹⁶ NY Pub Health § 2146.

¹⁷ New York City ("NYC") Health Code 11.29.

¹⁸ NYC Health Code 161.01(d).

¹⁹ NYC Health Code 161.121(i).

City, but need only be used or brought into the City to fall within the purview of the New York City rabies vaccine requirements.

Are there exceptions to New York City's mandatory rabies vaccinations for dogs, cats and horses?

Yes. Like New York State, New York City Law exempts certain dogs, cats and horses whose health would be adversely affected by the vaccination. New York City law also provides exemptions for active vaccinations against rabies for dogs, horses or cats actually confined to animal hospitals or animal shelters. Further exemptions are permitted for animals confined to colleges and research institutions for the purposes of research and for dogs and cats confined to the premises of a for-profit breeding program licensed as a class A dealer under the Federal Laboratory Animal Welfare Act.²⁰

What are the vaccination requirements for wild animals?

While generally illegal to own or possess a wild animal in New York City, certain wild animals are allowed for use in conjunction with exhibitions, petting zoos, circuses, and filming. New York City Law requires that all animals, for which an approved USDA rabies vaccination is available, be currently vaccinated before the animal's display or use.²¹

B. PROPER RABIES VACCINE ADMINISTRATION

Who may administer a rabies vaccination for it to be valid in New York City?

A rabies vaccination may only be administered by licensed veterinarians or licensed veterinary technicians working under the direct supervision of the veterinarian.²²

C. RECORDKEEPING RETENTION AND DISCLOSURE

What requirements are there for documentation and reporting rabies vaccinations given in New York City?

A rabies vaccination certificate is to be provided to the owner upon administration of a rabies vaccine. Additionally, veterinarians must report to the New York City Department of Health and Mental Hygiene ("DHMH") the administration of a rabies vaccination within five days of administration. For animals exempted from the mandatory vaccination rules, the veterinarian must issue a statement of exemption to the owner and likewise inform DHMH of the exemption.

²⁰ 24 RCNY 11.29(d).

²¹ NYC Health Code 161.01 (a)(2)(D).

²² Section 1.12(2) of the Practice Guidelines provide that "when an individual is practicing under the direct supervision of a licensed veterinarian, the veterinarian must be on the same premises as the person under supervision."

The vaccine certificate and form to be filed with DHMH must include the following information: description of the animal, its age, color, sex, and breed; the dog's license number; the name and address of the owner; whether the animal was vaccinated or exempted from vaccination by reason of the adverse effect such vaccination would have on its health, and, if vaccinated, the type of vaccine injected, its duration of immunity, the amount and manner of injection, the name of the manufacturer, and the lot number and expiration date of the vaccine.²³

What documentation must a veterinarian disclose relating to the vaccination and treatment of its animals?

Ordinarily, veterinarians may not produce the medical records or vaccination information for an animal without the consent of the owner except in certain limited circumstances. Disclosure is authorized to be made to law enforcement officers, animal welfare agencies and certain other enumerated persons: (1) in cases of suspected neglect or abuse of the animal;²⁴ and (2) where disclosure is necessary to protect the health of the animal or a person.²⁵ As set forth above, New York City also requires mandatory reporting of all rabies vaccinations and subsequent disclosure would be required when requested.

What reporting requirements are there for suspected cases of rabies?

In New York City, both veterinarians and veterinary technicians have mandatory reporting obligations for both suspected and confirmed cases of rabies infections. The rules governing reporting suspected rabies cases are broad and mandate that instances of animals capable of contracting rabies which have been bitten by, exposed to, or have been kept together with a rabid animal shall also be reported.²⁶

Reporting should be made by telephone immediately to DHMH and confirmed with a written report within twenty-four hours of identification. The written report may be submitted by mail, facsimile or e-mail if acceptable to DHMH. The required reports, must contain at a minimum the following information: name of the disease; type of animal involved; location of the animal; and the name, telephone number and address of the owner.²⁷

²³ 24 RCNY 11.29 (b)-(c).

²⁴ NY Educ. § 6714(2)(a).

²⁵ NY Educ. § 6714(2)(b).

²⁶ 24 RCNY 11.25(a)(3).

²⁷ 24 RCNY 11.25(b).

D. RAMIFICATIONS FOR UNDOCUMENTED AND/OR UNVACCINATED ANIMALS***What are the ramifications for undocumented and/or unvaccinated animals?***

Like New York State, New York City has requirements designed to limit the spread of rabies, but which can have significant consequences for owners and their animals. Animals with rabies or suspected of having rabies must be turned over to DHMH.

Dogs, cats, sheep, horses, cattle, goats and pigs or other animals capable of contracting rabies which have been bitten or exposed to rabies (and the source of the rabies exposure is not available for observation) must be observed. Those animals vaccinated for rabies at the time of exposure must be immediately revaccinated and monitored for forty-five days. The restrictions are much more severe for an animal who is not current for rabies vaccinations. Those animals must be kept in isolation under the daily care and supervision of a veterinarian for six months. If the owner is unable or unwilling to pay for the expense of isolation, the animal is to be turned over to DHMH to be destroyed at either an order of the commissioner or the owner's consent.²⁸

While the 2016 Compendium of Animal Rabies Prevention and Control, published by the National Association of State Public Health Veterinarians, recommends reducing the quarantine period for unvaccinated cats and dogs from six (6) months to four (4) months, this is not yet the law in New York City. Accordingly, it is important to adhere to the current New York City quarantine law in place requiring six (6) months for unvaccinated cats and dogs.

What penalties can an owner face for failing to vaccinate their cats, dogs and horses?

Steep penalties will be imposed for horses who are not actively vaccinated against rabies and/or for the failure to produce vaccination records requested by the DHMH. Fines can range from \$500 to \$1,000.²⁹

Failure to immunize a dog or cat owned or in a person's possession can result in fines ranging from \$500 to \$1,000.³⁰

Are there any observation requirements for dogs who cause injury to a person or are potentially exposed to rabies?

Yes. In certain instances, a dog may be subject to a mandatory observation period when it is brought to an animal shelter and no owner has been identified. Any dog that is brought to a shelter after causing an injury to a person or that is involved in any incident that creates a possible exposure to rabies must be held by the shelter for ten days, over which time such dog must be observed by a veterinarian to determine whether it has developed signs and symptoms of

²⁸ 24 RCNY 11.27.

²⁹ 48 RCNY 3-110.

³⁰ 48 RCNY 3-110.

rabies. If during the observation period, the dog is claimed by its owner, it may be released on the condition that the owner agrees to continue to observe the dogs for signs of rabies and determines that the dog is not dangerous.

If during the observation period, a veterinarian makes the determination that the dog has signs or symptoms of rabies, the dog is to be euthanized and tested for rabies.³¹

A dog, not in the possession of a shelter, may also be subject to examination if signs and symptoms are reported.³²

Therefore it is important for owners to ensure their animals are displaying proper identification and proof of rabies vaccinations.

E. ACCESS TO RABIES VACCINATIONS

What if an owner cannot afford the costs associated with vaccination of the animal for rabies?

While New York City is exempted from the mandatory free clinic requirements, the New York City Department of Health and other local animal welfare agencies will occasionally offer free or low cost rabies vaccination clinics. It is important to call the local county health department for up to date information on free clinics in the area.

F. ANIMAL EXHIBITION SPECIAL CONSIDERATIONS

Do animals being shown at fairs need to be vaccinated?

Yes. New York law requires that any animal in a fair and over the age of four months, must be vaccinated for rabies if there is a rabies vaccine available for the animal's species. However, individual fairs can have additional requirements, so it is important that the local rules and regulations be obtained for each exhibition.³³

III. RABIES VACCINATION CLINICS

This Section III describes the requirements for conducting a rabies vaccination clinic. In addition to the requirements set forth above in Sections I and II, any rabies vaccination clinic conducted within New York State must also comply with the below requirements.

³¹ NYC Health Code 161.07(c); 24 RCNY 11.27(f).

³² NYC Health Code 161.07(e).

³³ 1 NYCRR § 351.4(a).

What rules and regulations govern a veterinarian conducting a rabies vaccination clinic?

A veterinarian participating in a rabies vaccination clinic is considered to be practicing veterinary medicine and must ensure he or she is providing services that comport with the standards for the practice of veterinary medicine as set forth in the Rules of the Board of Regents and the Practice Guidelines.³⁴

Accordingly, rabies vaccination, administered at a rabies vaccination clinic, may only be administered by licensed veterinarians or licensed veterinary technicians working under the direct supervision of the veterinarian. Additionally, the veterinarian must ensure the following standards are met prior to administration of a rabies vaccination:

- (1) Conduct a complete physical examination and establish a Veterinarian/Client/Patient/Relationship (“VCPR”) with the owner;
- (2) Obtain historical information from the owner to determine if a rabies vaccination is warranted and safe for the animal;
 - Historical information may include past adverse reaction to vaccinations, allergies, or recent vaccinations that may rule out an unnecessary repeat rabies vaccination.
- (3) Provide the owner with information on the vaccine and potential adverse effects;
- (4) Provide information to the owner on obtaining veterinary services in case of an adverse reaction;
 - Owners should be instructed to take their animals to their regular veterinarians in the event of an adverse reaction. However, many times owners who attend rabies vaccination clinics do not have a regular veterinarian, and should be instructed on how their animal can receive follow-up care if it is necessary.
- (5) Obtain consent from the owner to administer the rabies vaccination;
- (6) Maintain signed records for the vaccinations and issue copies to the owner at the time of service.
 - At a minimum, the records maintained should include the following information:
 - i. Identifying information on the animal and owner;

³⁴ DOH has confirmed that these requirements only govern privately operated rabies vaccination clinics, which include those clinics sponsored by local businesses. Mandated county rabies clinics are subject to their own requirements. For information on how to participate in a county sponsored rabies vaccination clinic and a detailed list of requirements please contact your local health department.

- ii. Any history that is relevant to the vaccination;
- iii. Results of the physical examination;
- iv. Documentation of the owner's consent;
- v. Any possible adverse effects of the rabies vaccination;
- vi. The vaccination that is given, including name, dosage and any other identifying information;
- vii. The vaccine administered, the route of administration and date of the vaccination;
- viii. Recommendations made to the owner for post-vaccination care and/or observation; and
- ix. Instructions given to the owner on dealing with possible adverse effects.

Additionally, a veterinarian administering a rabies vaccination at a clinic is also responsible for ensuring:

- (1) Conspicuous posting of licensure information for all veterinarian and veterinarian technicians assisting with the rabies vaccination clinic;
- (2) All veterinarians and veterinary technicians wear a name badge, identifying themselves and their titles;
- (3) All equipment is clean and sterilized;
- (4) Proper handling of all equipment and syringes;
- (5) All rabies vaccinations administered are properly maintained, stored and within their effective dates;
- (6) Procedures are in place to protect individuals from unintended contact with syringes;
- (7) Proper disposal of syringes, in accordance with the regulations for regulated medical waste in a veterinary practice; and
- (8) The physical location of the rabies vaccination clinic is clean and is an appropriate environment.
 - The location should have an appropriate waiting area for animals and their owners, as is required for a veterinary facility.

May a veterinarian split fees charged at a rabies vaccination clinic with a third-party?

No. Fee splitting with a third-party in connection with the performance of professional services is considered to be unprofessional conduct as defined by the Rules of the Board of Regents.³⁵ Accordingly, veterinarians **cannot** allow rabies vaccination clinic participants to pay any amount of money to a charity or third-party that is “sponsoring” the clinic, and veterinarians **cannot** provide their services to a vaccination clinic participant at a reduced rate in exchange for a donation to a charity or third-party that is “sponsoring” the clinic. However, it is permissible for the veterinarians to donate all or a portion of their proceeds from the rabies vaccination clinic to the charity or third-party that is “sponsoring” the clinic, or ask that participants donate to a charity, as long as the cost of the vaccination services is not conditioned on the donation. It is important to note, that the fee-splitting prohibition applies to all clinics, not just rabies vaccination clinics.

³⁵ Rules of the New York Board of Regents, Part 29.1(4).