

CHAPTER W-14 - WILDLIFE REHABILITATION

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CHAPTER 14 - WILDLIFE REHABILITATION

ARTICLE I - GENERAL PROVISIONS

#1400 – POSSESSION

- A. Any person may provide immediate transportation for sick, injured, or orphaned wildlife to the Division, a Wildlife Rehabilitator, a Provisional Wildlife Rehabilitator, a DVM (licensed Doctor of Veterinary Medicine), an animal control agency, or a local law enforcement agency for the purposes of obtaining animal care or treatment if instructed to do so by the individual or agency to whom the wildlife will be delivered.
- B. Nothing in this chapter shall be construed as authorizing the practice of veterinary medicine as defined in section 12-64-103 (10) and regulated by the provisions of article 64 of Title 12 C.R.S.
- C. Wildlife possessed under authority of this chapter remain the property of the State and nothing herein shall be construed as granting any ownership interest to a Wildlife Rehabilitator, Provisional Wildlife Rehabilitator or any other person. As owner, the State has the right to require any person having possession of wildlife under authority of this chapter to immediately surrender possession of such wildlife to the Division in the case of violation of these regulations or other applicable law or whenever the Director or his designee determines it is necessary or appropriate for the welfare of such wildlife or for the protection of wildlife resources or the public.

ARTICLE II - POSSESSION AND REHABILITATION OF SICK, INJURED, OR ORPHANED WILDLIFE

#1401 - LICENSE TYPES AND REQUIREMENTS

- A. Any individual may be issued an annual Provisional Wildlife Rehabilitator License or annual Wildlife Rehabilitator License for the purpose of rehabilitating wildlife that is or appears to be sick, injured, or imprinted on humans; or that has been orphaned; or that has been otherwise approved by the Division. Only wildlife listed on the license may be rehabilitated, and all rehabilitation authorized by the license is for the primary purpose of returning the wildlife to the wild. The license is a renewable annual license which expires on January 31, annually.
 - 1. Types of Licenses
 - a. Provisional Wildlife Rehabilitator
 - 1. Authorizes licensee to receive, rehabilitate, transfer, and release all wildlife listed on the license under the conditions specified on the license, and under the supervision of their sponsor.
 - 2. Must be sponsored by a Colorado Wildlife Rehabilitator(s) licensed for the same species.
 - 3. Must consult with sponsor immediately after receiving any wildlife regarding its care and rehabilitation. If sponsor is not available, a Provisional Wildlife Rehabilitator must consult with a licensed Wildlife Rehabilitator, DVM, or the Division within 24 hours.
 - 4. Must immediately transfer any wildlife to the sponsor or another Wildlife Rehabilitator upon request by the sponsor or the Division.
 - b. Wildlife Rehabilitator

1. Authorizes licensee to receive, rehabilitate, transfer, and release all wildlife listed on the license under the conditions specified on the license.
 2. No Wildlife Rehabilitator may sponsor more than three (3) Provisional Wildlife Rehabilitators at the same time.
 3. Only Wildlife Rehabilitators with a minimum of three (3) years of experience as a fully-licensed Wildlife Rehabilitator may sponsor Provisional Wildlife Rehabilitators, The Division may accept documented licensed equivalent (species and license type) wildlife rehabilitation experience for this requirement on a year-for-year basis.
2. License Requirements: Prior to the initial issuance of any license, the applicant shall meet the following requirements:
- a. Provisional Wildlife Rehabilitator
 1. Certification that the applicant is at least 18 years of age.
 2. Declaration of prior animal welfare violations, wildlife violations, or suspension or revocation of any rehabilitation license. A license may be denied for previous or current violation of any relevant animal welfare or wildlife laws or failure to comply with any of the requirements of this chapter.
 3. Possession of an on-site holding facility which meets the criteria established under regulation #1404. A Provisional Wildlife Rehabilitator may meet this requirement with facilities available from the sponsor. If an applicant plans to use their own facilities, the sponsor must inspect and approve those facilities prior to submission of the Provisional Wildlife Rehabilitator application.
 4. Submission of a completed written application form provided by the Division, and approved and signed by the applicant and the applicant's sponsor.
 5. Submission of a letter from a DVM agreeing to examine and treat injured wildlife. The Division will not be responsible for reimbursing the DVM for services rendered.
 6. Prior to the second license renewal, completion of a basic wildlife rehabilitation curriculum approved by the Division which includes basic animal care concepts, zoonotic disease information, preferred euthanasia practices, wildlife rehabilitation law and ethics, and other general rehabilitation information.
 7. Submission of a Learning Plan. Prior to the submittal of the application the applicant and the sponsor must prepare a Learning Plan, intended to guide the applicant's development as a wildlife rehabilitator. Learning Plans shall be signed by the applicant and the sponsor and submitted with the application for approval by the Division. The Learning Plan shall focus on the wildlife species that the applicant will be rehabilitating, using the template provided by the Division, with narrative descriptions of each topic. The Learning Plan must include, but is not limited to, the following:
 - aa. Ethics of wildlife rehabilitation.
 - bb. Regulations affecting wildlife rehabilitation.
 - cc. Basic identification of common native wildlife species.
 - dd. Natural history and behavior of common native wildlife species and more in-depth knowledge of wildlife listed on the application.
 - ee. Methods to prevent and resolve common problems with wildlife.

- ff. Diet and nutrition of wildlife.
 - gg. Ability to safely capture and handle wildlife listed on the application.
 - hh. Identification and general assessment of basic health problems (not diagnostics).
 - ii. Basic first aid and problem-solving for wildlife listed on the application.
 - jj. Common wildlife diseases and parasites, including zoonotic diseases.
 - kk. Understanding of requirements for wildlife to be able to survive in the wild.
 - ll. Euthanasia, necropsy and disposal of wildlife.
 - mm. Criteria and considerations of release of wildlife.
 - nn. Public contact.
 - oo. Record-keeping.
8. Submission of the applicant's USFWS special purpose rehabilitation permit where required, or a copy of the federal application. Federally regulated species cannot be authorized on any license until the USFWS permit has been received.
 9. Certification by the applicant that the proposed possession and treatment of wildlife is not in violation of any city or county ordinance and submission of any required local permits.
 10. Certification by the applicant that the proposed wildlife rehabilitation activities will be in compliance with Colorado Department of Public Health and Environment statutes 25-4-602 through 606 and Colorado Department of Health and Environment Regulation 6CCR-1009-1 (Regulation 8).
 11. Certification by the sponsor that the person possesses the necessary skills and abilities to be a licensed Provisional Wildlife Rehabilitator.
 12. Certification by the applicant that they have read and understand the "Zoonoses Information and Prevention" packet provided by the Division containing general zoonoses information and procedures to minimize potential exposure to such diseases.
 13. Certification by the applicant that they have read and understand the information provided by the Division about Chronic Wasting Disease (CWD).
 14. Applicants shall be interviewed and their facilities inspected by the Division prior to the issuance of any license. The applicant's sponsor shall attend the interview and facilities inspection, except that a sponsor of a fully-licensed rehabilitator who is applying to be licensed for additional species may attend the inspection via videoconference or telephone.
- b. Wildlife Rehabilitator
1. Certification that the applicant is at least 18 years of age.
 2. Declaration of prior animal welfare violations, wildlife violations, or suspension or revocation of any rehabilitation license. A license may be denied for previous or current violation of any relevant animal welfare or wildlife laws or failure to comply with any of the requirements of this chapter.
 3. Submission of a completed written application form provided by the Division.
 4. Submission of a letter from a DVM agreeing to examine and treat injured wildlife. The Division will not be responsible for reimbursing the DVM for services rendered.

5. Submission of the applicant's USFWS special purpose rehabilitation permit where required, or a copy of the federal application. Federally regulated species cannot be authorized on any license until the USFWS permit has been received.
 6. Certification by the applicant that the proposed possession and treatment of wildlife is not in violation of any city or county ordinance and submission of any required local permits.
 7. Certification by the applicant that the proposed wildlife rehabilitation activities will be in compliance with Colorado Department of Public Health and Environment statutes 25-4-602 through 606 and Colorado Department of Public Health and Environment Regulation 6CCR-1009-1 (Regulation 8).
 8. Possession of an on-site holding facility which meets the criteria established under regulation #1404.
 9. Certification by the applicant that they have read and understand the "Zoonoses Information and Prevention" packet provided by the Division containing general zoonoses information and procedures to minimize potential exposure to such diseases.
 10. Certification by the applicant that they have read and understand the information provided by the Division about Chronic Wasting Disease (CWD).
 11. Submission of the completed Learning Plan, approved and signed by the sponsor, including dates upon which each segment was successfully completed.
 12. Successful completion of a minimum of one (1) year of experience as a Provisional Wildlife Rehabilitator, including certification by the sponsor that the applicant possesses the necessary skills and abilities to be a Wildlife Rehabilitator for the wildlife listed on the license. The Division may accept documented, licensed, equivalent (species and license type) wildlife rehabilitation experience for this requirement.
 13. Applicants shall be interviewed and their facilities inspected to verify that the applicant has the full range of caging and other necessary facilities. The applicant's sponsor shall attend the interview and facilities inspection, except that a sponsor of a fully-licensed rehabilitator who is applying to be licensed for additional species may attend the inspection via videoconference or telephone.
3. Loss of Sponsorship: If at any time a Provisional Wildlife Rehabilitator loses sponsorship, all wildlife shall be transferred to the sponsor or other Wildlife Rehabilitator licensed for that wildlife as soon as possible but not to exceed 48 hours. If the Provisional Wildlife Rehabilitator has not obtained a new sponsor within 30 days, the license shall expire. Any time sponsorship is revoked, the sponsor shall notify the Division within 48 hours.
 4. License Approval/Denial: Upon receipt, applications will be reviewed and facilities inspected. Approval or denial will be based on compliance with the licensing and facilities criteria in this chapter. Facilities inspection, any required interview, and written notification of the approval or denial (including reason for denial) will be made within 60 days of Division receipt of the application.

5. License Suspension/Revocation: Any license issued under this chapter may be administratively suspended or revoked for violation of any relevant animal welfare or wildlife laws, or failure to comply with any of the requirements of this chapter. A license holder shall be notified in writing of any specific violation, including a date by which the license holder must come into compliance. Failure to comply within the specified time period may result in a hearing and subsequent suspension or revocation pursuant to this regulation. Upon written notification of noncompliance, a license holder may not accept wildlife until the violation has been remedied. Licenses may also be immediately suspended or revoked where necessary to protect public health, safety or welfare.
6. Unlicensed Individuals Assisting in Direct Animal Care:
 - a. Fully-licensed Wildlife Rehabilitators may use unlicensed individuals under their supervision, at their Division-approved facilities.,
 1. Except as provided in (c) and (d) of this section, all unlicensed individuals must at all times be under the direct (on-site) supervision of their fully-licensed Wildlife Rehabilitator.
 - b. For the purposes of this section, an “unlicensed individual” is:
 1. Any person who has completed training provided by a fully-licensed Wildlife Rehabilitator and has been added to that Wildlife Rehabilitator’s on-site list of currently-approved unlicensed individuals. At a minimum, training for unlicensed individuals must include, but is not limited to, the following:
 - aa. Ethics of rehabilitation
 - bb. Rehabilitation regulations
 - cc. Safe capture and handling of the applicable species
 - dd. Diet and nutrition of the applicable species
 - ee. Common wildlife diseases and parasites, including zoonotic diseases
 - ff. Any other training necessary for the activity to be performed
 2. Not allowed to supervise any other unlicensed individual.
 3. Not allowed to provide medical care or euthanize any animal, except, when directed by a fully-licensed Wildlife Rehabilitator or a veterinarian, an unlicensed individual may provide emergency first aid, emergency stabilization care, continuation of prescribed treatment or emergency euthanasia.
 4. Not allowed to provide care for any skunk or bat.
 - c. Provisional Wildlife Rehabilitators shall only provide direct (on-site) supervision of unlicensed individuals, and then only when:
 1. Their sponsoring Wildlife Rehabilitator approves such supervision in writing, and;
 2. The Provisional Wildlife Rehabilitator has completed all portions of their Learning Plan relevant to the animal care activity to be performed by the unlicensed individual, including, but not limited to, those criteria listed in (b)(1) of this section.
 - d. Unlicensed individuals may work without direct (on-site) supervision for short periods of time provided that written protocols specific to the activity to be performed are available on site, and their fully licensed Wildlife Rehabilitator is available by telephone during that time. If at any point a Wildlife Rehabilitator is away from the facility and unreachable by telephone, they must designate a fully-licensed Wildlife Rehabilitator who is licensed for the same species to act in their stead.
 - e. Wildlife Rehabilitators must submit an annual report of unlicensed individuals used throughout the year on forms provided by the Division. At a minimum, such report must include the following for each unlicensed individual:
 1. Name, address and phone number
 2. Approved areas of animal care

3. Dates training was completed
 4. Dates and times worked for each individual
 5. Type of care provided
- f. If the Division determines that any wildlife rehabilitator is not in compliance with restrictions regarding the use of unlicensed individuals, or where such wildlife rehabilitator or unlicensed individual fails to provide an acceptable level of care, the Division may further restrict the use of unlicensed individuals by such wildlife rehabilitator.
 - g. Fully-licensed Wildlife Rehabilitators are responsible for the actions and activities of unlicensed individuals and shall be responsible for any violations of these regulations by those individuals. Provisional Wildlife Rehabilitators who provide on-site supervision of unlicensed individuals are responsible to ensure that the unlicensed individuals comply with the direction of the fully-licensed Wildlife Rehabilitator.
7. Transportation and Release of Wildlife: Under direct instructions from a Wildlife Rehabilitator, unlicensed individuals may transport wildlife to or from a licensed rehabilitator or DVM, or to a Division facility or officer, or to a release site. Such persons must carry documentation signed by the Wildlife Rehabilitator listing the date, time, destination, species and number of wildlife to be transported and/or released. Possession of wildlife under this regulation may not exceed eighteen (18) hours.

#1402 - RECORD REQUIREMENTS

- A. All license holders shall keep current and complete written records of all wildlife currently possessed, rehabilitated and released, euthanized or which died while in their possession, or transferred to another person authorized by the Division to possess wildlife, containing the following information:
 1. Species, sex, length and type of treatment, and source of wildlife (address/location to the greatest extent known, including map coordinates, if possible).
 2. Reason animal was taken in for rehabilitation, date received, and attending veterinarian if applicable.
 3. Disposition, disposition location (address/location to the greatest extent known, including map coordinates, if possible) and disposition date, and a written explanation if wildlife is released beyond ten miles from its place of origin, including the name of the Division employee authorizing the release location and the date such authorization was given.
 4. All animals carried over from the prior year, including a written explanation for why each animal was carried over.
- B. All license holders must submit to the Division a report containing this information, on forms provided by the Division no later than January 31 annually. Reports submitted by Provisional Wildlife Rehabilitators shall be approved and signed by the sponsor prior to submittal.
- C. Provisional Wildlife Rehabilitators shall submit to the Division an annual update of Learning Plan progress, which shall be approved and signed by the sponsor, no later than January 31 annually.
- D. All license holders must maintain copies of the current and prior calendar years' records.

#1403 - REQUIREMENTS FOR LICENSE RENEWAL

- A. The renewal of a license is contingent upon the licensee's compliance with relevant state statutes, health department regulations and the provisions of this chapter.
- B. Applications for license renewal shall include certification by the license holder, and the sponsor in the case of renewal applications for Provisional Wildlife Rehabilitators, that they remain in compliance with the provisions of this chapter and all other applicable statutes and regulations, including declaration of prior animal welfare violations, wildlife violations, or suspension or revocation of any rehabilitation license. The Division may deny an application for renewal for previous or current violation of any relevant animal welfare or wildlife laws or failure to comply with any of the requirements of this chapter.

#1404 - FACILITIES

- A. All wildlife must be kept within wildlife holding enclosures except when being transported, transferred, treated, or released. These holding facilities must be designed, constructed and maintained to provide:
 - 1. Safety and protection for wildlife and people.
 - a. Facilities and outdoor cages must be locked.
 - b. Facilities must ensure containment for wildlife under rehabilitation and exclusion of other wild and domestic animals.
 - 2. Separation between wildlife held under other licenses and wildlife in rehabilitation at all times, unless otherwise approved by the Division.
 - 3. Sufficient space to allow normal development and physical behavior, as well as postural and social adjustments with freedom of movement.
 - 4. Proper lighting levels.
 - 5. Proper ventilation.
 - 6. Ability to conduct cleaning, sanitation, disinfecting and handling procedures considering safety, escape prevention and while minimizing stress to wildlife.
 - 7. A means to gradually acclimate wildlife to external environmental conditions.
 - 8. Appropriate ambient temperatures.
 - 9. Barriers to minimize stress on these wildlife.
 - 10. Barriers to prevent imprinting on humans or domestic animals.
- B. In addition to the design, construction and maintenance of holding facilities as specified in 1404 A, the licensee must provide:
 - 1. Specific enclosures for all developmental stages of wildlife on the license.
 - 2. Enclosures for recuperation from injuries.
 - 3. Quarantine capabilities.

4. Parasite and pest control.
 5. Shelter within enclosure as needed.
 6. Clean water and appropriate food.
 7. Nesting and/or bedding materials.
- C. The facilities will be kept clean and sanitary.
- D. Wildlife rehabilitator license applicants shall develop a written minimum facilities standards agreement with the Division, which describes the facilities and explains how they meet or exceed the requirements of regulations #1404 A and B. This agreement shall be in the form of an annotated checklist which explains how generally and specifically stated objectives (e.g., "proper ventilation" or "parasite control") are met. Any facilities added between inspections shall meet the same standards. When approved, the plan shall become a part of the issued license and a failure to maintain the facilities as described in the license agreement shall be deemed a violation of this regulation.
- E. Within the facilities shall be available for inspection by representatives of the Division or other persons having authority to enforce the Wildlife Commission regulations, at reasonable times seven (7) days a week.

#1405 - CARE, TREATMENT AND DISPOSITION OF WILDLIFE

- A. A DVM must approve all medications, medical treatments, diagnostic and prognostic procedures. Anesthesia and surgery will be conducted only by a DVM or under direct DVM supervision.
- B. If the rehabilitator or DVM determines that any wildlife is not likely to survive, it must be euthanized immediately by the DVM or rehabilitator.
- C. As soon as it can be determined that sick or injured wildlife is not likely to recover within 180 days, it must be euthanized, unless prior Division approval is given for extended care, provided further, however, that the Division may authorize the transfer of any raptor determined by the Division to be recovered, but non-releasable, to any person in possession of a valid federal permit issued for the express purpose of conducting conservation education.
- D. It shall be unlawful to provide wildlife care that seriously impairs the potential success of release, such as but not limited to wing amputation, without approval of the Division.
- E. A DVM may render emergency care and treatment to sick or injured wildlife without a wildlife rehabilitation license. Whenever a DVM renders such care or treatment he or she shall transfer responsibility for such wildlife either to a licensed wildlife rehabilitator or notify the Division within 24 hours of initial contact with the wildlife. Any care and treatment rendered shall not create a financial obligation to the Division or licensed wildlife rehabilitator without prior approval.
- F. Any DVM, licensed wildlife rehabilitator, full time employee of the Division, Peace Officer as defined in 33-1-102(32) C.R.S., Animal Control Officer or anyone else authorized by the Division may euthanize injured wildlife when such person determines that no other reasonable action would be practical, humane or effective for the rehabilitation of the wildlife.
- G. Factors that shall be considered in determining what action should be taken relative to injured wildlife include:

1. Type, extent and severity of injury(ies).
 2. Physical condition of the injured wildlife.
 3. Any other relevant factors which show that no other reasonable action would be practical or effective for the rehabilitation of the animal involved.
- H. Any person euthanizing wildlife using chemical agents which have the potential to cause secondary poisoning must provide for appropriate burial, incineration, or other lawful disposition of such wildlife.
- I. Except as provided below, it shall be unlawful to use leashes and tethers in the rehabilitation of wildlife. Creances for flying raptors in rehabilitation may be used only for sound biological reasons under the supervision of a veterinarian approved by the Division. Creances shall not be used as a substitute for flight cages for pre-release training and exercise.

#1406 - RELEASE OF WILDLIFE

- A. All rehabilitated wildlife shall be released in appropriate habitat as close as possible to its place of origin, within 10 miles of that location; or as otherwise required to comply with any special conditions of the license; or at a site approved in advance by the Division except that any member of the family Cervidae taken for rehabilitation to a rehab facility in a Game Management Unit where at least one confirmed case of CWD has been documented must be released in appropriate habitat in the Game Management Unit where the rehabilitation facility is located.
- B. All rehabilitated wildlife shall be released as soon as it has reached physical maturity and/or has attained full recovery from injury or illness, or as soon thereafter as the time of year is ecologically appropriate. In no case shall any wildlife be held longer than one year without prior Division approval based on sound biological reasons.

#1407 - RESTRICTED SPECIES

- A. Any rehabilitator licensed for State or Federally listed threatened or endangered species must notify the Division within 48 hours after receiving; after release; and prior to euthanasia of these species.
- B. Applicants for authorization to rehabilitate spotted skunks, hognosed skunks or any bats must show evidence of current pre-exposure rabies vaccination with demonstrated titers. If authorized, the licensee must not allow unvaccinated individuals to contact skunks or bats in rehabilitation.
- C. The rehabilitation of striped skunks is prohibited.
- D. Any member of the family Cervidae taken for rehabilitation from a Game Management Unit where at least one confirmed case of CWD has been documented must be rehabilitated in a rehabilitation facility located in a Game Management Unit where at least one confirmed case of CWD has been documented. If such a facility is not available, the animal shall be euthanized.

Basis and Purpose:

The statements of basis and purpose for these regulations can be viewed and copies obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager, Policy and Planning Unit, 1313 Sherman, Room 111, Denver, CO 80203.

The primary statutory authority for these regulations can be found in § 24-4-103, C.R.S., and the state Wildlife Act, §§ 33-1-101 to 33-6-209, C.R.S., specifically including, but not limited to: §§ 33-1-106, C.R.S.

EFFECTIVE DATE - THESE REGULATIONS SHALL BECOME EFFECTIVE NOVEMBER 1, 2016 AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REPEALED, AMENDED OR SUPERSEDED.

APPROVED AND ADOPTED BY THE PARKS AND WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 8TH DAY OF SEPTEMBER, 2016.

**APPROVED:
Chris Castilian
Chairman**

**ATTEST:
James C. Pribyl
Secretary**