

FILING - 05/29/2009
Basis and Purpose
Chapter 14 – Wildlife Rehabilitation

Basis and Purpose:

Wildlife rehabilitation has been a licensed activity in Colorado since the early 1980s. Wildlife rehabilitators volunteer their time and expertise to provide a valuable service by caring for injured and orphaned wildlife. The practice of wildlife rehabilitation continues to evolve and grow, and the knowledge available has contributed to increased standards of care. Chapter 14 regulations were revised in March of 2009, and these regulations further address the use and supervision of unlicensed individuals at wildlife rehabilitation facilities. These regulations intend to ensure that the highest standards of care are practiced by all wildlife rehabilitators as well as unlicensed individuals working under their supervision.

The intent of these regulations is to ensure that wildlife rehabilitation is directed by licensed wildlife rehabilitators, and recognizes that the primary purpose of unlicensed assistance is to help wildlife rehabilitators manage the intensity of care required at certain points during animals' lives, especially in the case of young animals.

In order to assist Wildlife Rehabilitators with large workloads, these regulations allow qualified Provisional Wildlife Rehabilitators who have completed applicable training requirements to provide on-site supervision for unlicensed individuals. Provisional Wildlife Rehabilitators are rehabilitators in training themselves, and their primary purpose is not to supervise unlicensed individuals, but to progress toward becoming fully-licensed Wildlife Rehabilitators qualified to provide animal rehabilitation. As such, their supervision authority is limited to direct, on-site supervision, only in qualified areas, and only when approved by their sponsor. These regulations do not restrict the number of unlicensed individuals who may be supervised at one time by a Provisional Wildlife Rehabilitator. Instead, the Division relies on the ultimate responsibility of the fully-licensed Wildlife Rehabilitator to properly supervise unlicensed volunteers and provide acceptable animal care, as well as the Division's ability to restrict the use and/or supervision of unlicensed individuals at any time supervision requirements or acceptable animal care requirements are not met.

The Division recognizes the need for Wildlife Rehabilitators to be away from their facility at times. Under specific parameters, these regulations allow unlicensed individuals to work without a wildlife rehabilitator being physically present at the facility. This provision is solely intended to allow wildlife rehabilitators flexibility to care for other life needs and responsibilities. These regulations provide the framework for such cases so long as animal care remains at an acceptable level. The Division expects that licensed wildlife rehabilitators will be on site at their facility at least some portion of every day that the facility is providing care for wildlife, except in infrequent cases of vacation, illness, etc, in which case the wildlife rehabilitator may authorize a cooperating fully-licensed Wildlife Rehabilitator to act in their stead. Further, it is expected that the licensed wildlife rehabilitator will provide the primary direction and supervision for the care of animals held under the authority of their license, as well as primary direction and supervision for volunteers approved by them. It is not the intent of these regulations to allow day-to-day operations to be performed by unlicensed individuals and/or Provisional Wildlife Rehabilitators without the regular presence and direction of a fully-licensed Wildlife Rehabilitator.

While minimal specific training standards are established for unlicensed individuals, it is the Division's expectation, and a standard in the rehabilitation community, that no individual should provide direct animal care without having received adequate training in the applicable animal care activity.

In the event of noncompliance or substandard animal care, the Division reserves the right to further restrict the use of unlicensed individuals in order to ensure proper care for wildlife. It is the intent of these regulations that, at all times, the fully-licensed Wildlife Rehabilitator remain responsible for the wildlife rehabilitation activities performed under the authority granted by their license, whether they are provided personally, or by Provisional Wildlife Rehabilitators or unlicensed individuals under their direction, and that acceptable animal care remain a condition of their license.

The 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: §§ 33-1-101, 102, 104, 105, 106-108, 115, and 121; §§ 33-2-104, 105, 106, and 107; § 33-3-104; §§ 33-4-101, 102, 102.5, 103, 116, 116.5, 117, and 119; § 33-5.5-102; and §§ 33-6-107, 109, 112, 113, 113.5, 114, 114.5, 117, 119, 120, 121, 124, 127, 128, 129, 131, 205, 206, 207, and 208.

EFFECTIVE DATE - THESE REGULATIONS SHALL BECOME EFFECTIVE JULY 1, 2009 AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL REPEALED, AMENDED OR SUPERSEDED.

APPROVED AND ADOPTED BY THE WILDLIFE COMMISSION OF THE STATE OF COLORADO THIS 7th DAY OF MAY, 2009.

**APPROVED:
Brad Coors
Chairman**

**ATTEST:
Dennis G. Buechler
Secretary**