

FINAL REGULATIONS - CHAPTER 14 - WILDLIFE REHABILITATION

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-March~~ 31, annually. Renewal materials shall be submitted by January 31. If renewal materials are not submitted by January 31 the license will expire March 31. If complete renewal materials are submitted by January 31 and the new license is not received by March 31, the previous year's license will remain valid until the new license is received or until the rehabber has been notified that their license has been suspended or revoked.

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.

AS APPROVED 08/22/2024
Basis and Purpose
Chapter W-14 - Wildlife Rehabilitation

Basis and Purpose:

Previously, Wildlife Rehabilitation Licenses were valid January 1st to January 31st of the following year. Wildlife rehabilitators applying for a renewal had until January 31st to submit the required paperwork from the year before. This gives staff less than 1 day to approve these renewals (if rehabbers wait until the deadline), leaving wildlife rehabilitators without a valid license while these requests are being processed. Field staff have 30 days from receiving a renewal request from Special Licensing to approve it. This sometimes requires inspections of a facility, which can take weeks to schedule and complete. Once field approvals are received, there are also administrative tasks to complete to issue the license.

With these changes, the original license issued will show an expiration date of March 31st the following year. This change does not change the process for rehabilitators to apply for a new or renewal license, it merely provides staff the time they need to process license applications.

The statements of basis and purpose for these regulations can be obtained from the Colorado Division of Parks and Wildlife, Office of the Regulations Manager by emailing dnr_cpw_planning@state.co.us or by visiting the Division of Parks and Wildlife headquarters at 6060 Broadway, Denver, CO, 80216.

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 OCTOBER 1, 2024 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 22ND DAY OF AUGUST 2024.

APPROVED:
Dallas May
Chair

ATTEST:
Karen Bailey
Secretary

Phil Weiser
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Tracking Number: **2024-00306**

**OPINION OF THE ATTORNEY GENERAL RENDERED IN
CONNECTION WITH THE RULES ADOPTED BY THE
Colorado Parks and Wildlife (406 Series, Wildlife)
ON 08/22/2024**

**2 CCR 406-14
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The above-referenced rules were submitted to this office on 08/23/2024 as required by section 24-4-103, C.R.S. This office has reviewed them and finds no apparent constitutional or legal deficiency in their form or substance.

August 29, 2024 16:03:46 MST

Philip J. Weiser
Attorney General
by Russell D. Johnson
Deputy Solicitor General