



THE COLLEGE OF  
VETERINARIANS  
OF ONTARIO

## **LEGISLATIVE OVERVIEW**

### ***Rabies***

#### ***HEALTH PROTECTION AND PROMOTION ACT (ONTARIO)***

#### ***HEALTH OF ANIMALS ACT (CANADA)***

**Published:** October 2014

**Revised:** April 2018; July 2018; May 2019

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#### **Purpose**

The purpose of this legislative overview is to describe the requirements veterinarians are expected to meet under both federal and provincial legislation in regard to the control of rabies and vaccination of animals. Answers to frequently asked questions provide further clarification.

#### **Overview of the *Health of Animals Act (Canada)* and Regulation**

The *Health of Animals Act* is intended to control the spread of disease between and among animals as well as transmission from animals to persons. Sections 130 – 135 of the *Health of Animals Regulation* address a variety of issues related to veterinary biologics and include a specific reference in section 134 regarding the sale of rabies vaccines. Section 134.2 of the *Regulation* prohibits the sale of rabies vaccines to non-veterinarians.

#### **Overview of *Health Protection and Promotion Act (Ontario)* and Regulations**

The *Health Protection and Promotion Act (HPPA)* is intended to provide for the organization and delivery of public health programs and services that are administered by the Ministry of Health and Long-Term Care (MOHLTC). Under the *HPPA*, public health units have a very broad mandate including sanitation, family counselling, health promotion and protection, and injury and disease prevention and control. Although the number of rabies incidents reported each year in Ontario is small, the disease is endemic in some animal populations and, consequently, the

prevention and control of rabies in humans is one of the objectives established by the MOHLTC under the *HPPA*.

## Relevance to Veterinary Practice

The *HPPA* contains two regulations that apply to veterinary medicine. Regulation 567 Rabies Immunization provides direction to veterinarians who carry out rabies immunizations. Regulation 557 Communicable Diseases – General sets out expectations for veterinarians regarding reporting animal bites and the management of animals suspected of having rabies. These regulations complement the requirements set out under Regulation 1093 of the *Veterinarians Act*. For the purposes of understanding the requirements under these regulations, within a Public Health Unit, a board of health appoints a Medical Officer of Health, to whom public health inspectors report to.

Under Regulation 567, the following expectations are described:

- Immunizations must be carried out with a rabies vaccine licensed for use in Canada and following the manufacturer's instructions;
- The veterinarian must issue a Certificate of Immunization to the owner/custodian of the animal that has been immunized or re-immunized against rabies;
- A certificate of immunization shall be signed by the veterinarian who performed the immunization and shall contain:
  - the name and address of the owner or person having care or custody of the animal;
  - the species, breed, colour, sex, age and name of the animal;
  - markings, if any, on the animal;
  - any microchip number, tattoo number, or, where applicable, other permanent means of identifying the animal;
  - the approximate size of the animal;
  - the address of the clinic or other location where the animal was immunized;
  - the full name and contact information of the veterinarian who performed the immunization of the animal;
  - the name and serial number of the vaccine;
  - the reimmunization interval specified in the product monograph of the vaccine;
  - the date of the immunization;
  - a statement of whether the immunization is a primary immunization or a booster immunization;
  - the date by which the animal is to be reimmunized; and
  - the identification number on the rabies tag that is issued with respect to a cat, dog or ferret;
- A veterinarian must retain a copy of each Certificate of Immunization that he or she issues for a period of three years;

- If the veterinarian is of the opinion that the animal is in or has a medical condition that precludes its safe immunization or re-immunization against rabies, the veterinarian will issue a Statement of Exemption;
- The statement of exemption must contain the following information:
  - the name and address of the owner or person having care or custody of the animal;
  - the species, breed, sex, colour, age and name of the animal;
  - markings, if any, on the animal;
  - any microchip number, tattoo number, or, where applicable, other permanent means of identifying the animal;
  - the approximate size of the animal;
  - the date of each previous rabies immunization and any relevant adverse effects related to the immunization documented in the medical record of the animal;
  - the medical condition precluding the safe immunization or reimmunization of the animal, as the case may be;
  - the duration of the exemption from the requirement to immunize the animal;
  - the full name and contact information of the veterinarian who issued the statement of exemption; and
  - the date of the statement of exemption;
- A veterinarian must retain a copy of each Statement of Exemption that he or she issues for a period of three years;

Under Regulation 557, the following expectations are described:

- A veterinarian must report to the local Medical Officer of Health, immediately, any knowledge of a bite from a mammal or any contact with a mammal that may result in rabies in persons, including the name and contact information of the exposed person;
- A veterinarian must comply with a request from a Medical Officer of Health or public health inspector to examine a dog or cat or ferret for evidence of rabies and to confine, and/or isolate the animal for at least 10 days, if necessary, to determine if it remains free of symptoms of rabies. The Medical Officer of Health or public health inspector may also request that a veterinarian confine and isolate an animal at a pound or veterinary hospital for at least 10 days;
- A veterinarian must comply with a request from a Medical Officer of Health or public health inspector to examine a horse, cow, bull, steer, calf, sheep, pig, or goat for evidence of rabies and to confine, and/or isolate the animal for at least 14 days at the location that the animal is normally housed, if necessary, to determine if it remains free of symptoms of rabies. The Medical Officer of Health or public health inspector may also require that the animal in question be confined and isolated at a veterinary hospital if he or she is of the opinion that the person caring for the animal is unlikely to confine and isolate it;

- A medical officer of health or public health inspector may require the destruction of any animal at any time for the purpose of having a laboratory examination to determine if the animal is in the infective stage of rabies. In the case of a dog, cat or ferret, this only applies where the dog, cat or ferret is unclaimed or where permission is given by the owner for the destruction of the dog, cat or ferret.

## Frequently Asked Questions

The following questions and answers are intended to provide veterinarians with additional information regarding rabies immunization.

### Frequently Asked Questions – Biting Incidents and Reporting

#### ***Are veterinarians required to report all bites and contact incidents by an animal?***

Regulation 557 requires a veterinarian to report to the local Medical Officer of Health, as soon as possible, knowledge of any bite or other animal contact that may result in rabies in a person. A veterinarian uses his/her professional judgement and knowledge of how rabies is transmitted to assess if there is a need to report. A veterinarian is not required to assess the likelihood of rabies disease in the biting animal. For example, transmission can occur with a bite or scratch that results in an open wound or in other situations where there is contact between an animal's saliva, cerebral spinal fluid or brain tissue through either an open wound or mucous membranes. All of these situations in which rabies virus transmission to persons could occur must be reported. Animal blood or urine does not serve as a vehicle for the transmission of rabies virus.

An animal's rabies vaccination status, clinical history, behaviour, and current health status does not preclude the legal requirement for a veterinarian to report a bite or other contact that may result in rabies. As a result, even provoked bites by fully vaccinated animals must be reported under Regulation 557.

Under section 5.2 of the *Health of Animals Act*, veterinarians are also expected to report animal to animal bites if, in the professional judgement of the veterinarian, one of the animals could potentially have rabies (e.g., demonstrates neurological signs consistent with rabies disease or is a member of a rabies reservoir species) and there is risk of rabies transmission (e.g., fight, significant contact with saliva, mutual grooming). If two animals fight and there is no reason to suspect one of them has rabies, then it does not need to be reported. Animal to animal bites or contact incidents are reported to the Ministry of Agriculture, Food and Rural Affairs when there is reason to suspect rabies.

***What should a veterinarian do when an owner/custodian, who requests a rabies vaccine for an animal, indicates that they reported a recent bite or contact incident by that animal to public health?***

If a bite or contact incident has been reported, the Public Health Unit may have ordered the animal to be confined by the owner/custodian. If an animal is under a confinement order, the owner/custodian is violating the order by presenting the animal for rabies vaccination. If a contact incident has been reported to the Public Health Unit, a veterinarian, prior to carrying out the rabies vaccination, should contact the Public Health Unit to confirm whether or not a confinement order has been placed on the animal to be vaccinated. If a confinement order has been issued, the animal should not be vaccinated until the Public Health Unit releases the animal from confinement.

***Is a veterinarian required to report a bite or contact incident when an owner/custodian indicates no report was made to the Public Health Unit?***

If a veterinarian determines that a recent bite or contact incident by the animal has not yet been reported by the owner of the animal, the veterinarian must report their knowledge of the bite or contact to the Public Health Unit, as required by Regulation 557.

***Are veterinarians required to report incidents when an animal bites a veterinarian or auxiliary staff at a veterinary clinic?***

A veterinarian must follow the same reporting requirements for bites or other contact incidents with animals that could result in the transmission of the rabies virus to a person inclusive of when these incidents occur in a veterinary facility.

***When should veterinarians ask questions about biting incidents?***

Asking questions about biting or other contact incidents that occurred within the 10 days preceding a planned rabies vaccination is part of the screening process that is undertaken prior to the administration of a rabies vaccine. This information should be sought whether the planned vaccination is part of a Rabies Program or a regular clinic visit.

Veterinarians must also ask questions about biting or other contact incidents that occurred within the 10 days preceding euthanasia of an animal. Animals involved in such incidents should not be euthanized within 10 days of the incident without the prior authorization of the Public Health Unit to do so. Public Health Units will authorize euthanasia in such cases only when there is a clear and significant animal welfare concern with keeping the animal alive for the duration of the 10-day confinement period.

## **Frequently Asked Questions – Administration of Vaccines**

***Are veterinarians prohibited from delegating rabies immunization to auxiliary staff?***

Although the *HPPA* requires that immunizations are carried out by veterinarians, Regulation 1093, s 19(4) allows for immunizations to be delegated in an accredited

facility to staff who are competent to perform the immunization. Immunizations carried out in an unaccredited facility must be carried out by a veterinarian.

***When should a domestic animal not be vaccinated?***

Do not vaccinate cats or dogs or ferrets that have bitten a person in the last 10 days (14 days for animals other than cats or dogs or ferrets), regardless of the potential that the animal may have been exposed to rabies. Any domestic mammal that has bitten a person must undergo a 10-14 day observation period imposed by Public Health to rule out human exposure to rabies virus. After the 10-14 days, the animal can and should be vaccinated as indicated.

***Can an animal owner or breeder purchase the rabies vaccine and administer it to their animal?***

Animal owners and breeders cannot purchase rabies vaccines. Section 134.2(1) of the *Health of Animals Regulations*, CRC 296 expressly prohibits the sale of rabies vaccines to anyone other than a veterinarian. The federal Minister of Agriculture may permit exceptions for remote areas without access to veterinary services or for a temporary emergency veterinary clinic. Normally, permission is granted to remote municipalities and remote First Nations communities rather than individuals or run by provincial wildlife officials.

***Can a rabies titre replace a rabies vaccination?***

No. Rabies titres cannot serve as proof of an animal's current vaccination status, and do not meet the legal requirement for vaccination of animals.

There are no laboratory tests (i.e. rabies titres) that can be used to establish exemption from the requirement for an up-to-date rabies vaccination status. Exemptions can only be issued on the basis of an animal's physical condition which would preclude safe (re-)immunization.

## **Frequently Asked Questions – Records**

***Under what circumstances can a veterinarian issue a Statement of Exemption?***

Regulation 567 of the *Health Protection and Promotion Act* enables a veterinarian to issue a Statement of Exemption to the requirement for rabies vaccination under specific conditions. If, based on the history or assessment, a veterinarian determines that the physical condition or history of significant previous adverse vaccine reaction of an animal is such that it cannot be safely (re)immunized, the veterinarian will provide a Statement of Exemption to the owner/custodian of the animal. A copy should be kept in the animal's medical record for a period of three years from the date of issue.

***Can the Certificate of Immunization suffice for the record required under Regulation 1093?***

The Certificate of Immunization may serve as the record if all of the information required under both Regulation 567 and Regulation 1093 is included.

***What is the procedure for replacing a lost Certificate of Immunization?***

Regulation 567 requires a veterinarian to retain a copy of the original signed Certificate of Immunization. A veterinarian should retain a paper copy or scanned electronic version of the original in order to provide a true copy of the certificate when asked to provide a replacement certificate. New certificates should not be issued.

## **Frequently Asked Questions – Other Issues**

***What animals must be vaccinated in Ontario?***

Under Regulation 567, all dogs, cats, and ferrets three months of age or older must be vaccinated. Every horse, cow, bull, steer, calf, sheep, or other livestock for which a rabies vaccine licensed for use in Canada is available must also be immunized against rabies, unless the animal is accessible only to the person(s) who is responsible for its care and control. The owner/custodian of an animal required to be vaccinated against rabies as listed in the regulation must have either a current Certificate of Vaccination or a current Statement of Exemption issued by a veterinarian for that animal.

***Does the Medical Officer of Health have the authority to require a veterinary hospital to confine an animal suspected of rabies?***

Yes. Under Regulation 557 the Medical Officer of Health or a public health inspector has the authority to require a veterinary hospital to confine a cat or dog or ferret for at least 10 days and a horse, cow, bull, steer, calf, sheep, pig, or goat for at least 14 days if the Medical Officer of Health or public health inspector is of the opinion that the animal may be rabid and in his/her opinion the person caring for the animal is unlikely to confine and isolate the animal.

***How is a veterinarian or veterinary facility compensated when the Medical Officer of Health orders an animal to be examined, confined or isolated or destroyed?***

Regulation 557 directs the municipality in which the owner/custodian of the animal resides to compensate a veterinarian for the costs of veterinary services ordered by a Medical Officer of Health or a public health inspector.

## Legislative Authority

*Health Protection and Promotion Act*, R.S.O. 1990, c H.7, s 96(4)(f)

R.R.O. 1990, Reg 557, s 2, s 3(1-5) (*Health Protection and Promotion Act*)

R.R.O. 1990, Reg 567, s 4-8 (*Health Protection and Promotion Act*)

C.R.C., c 296, SRO/91-525, Health of Animals Regulations, s 134.2(1) [*Health of Animals Act*, (Canada)]

## Resources

The following can be found on the College's website at [www.cvo.org](http://www.cvo.org)

Sample Certificate of Rabies Vaccination

Sample Statement of Exemption from Rabies Vaccination

## For Additional Information

For Matters Related to Human Exposure to a Potentially Rabid Animal:

Dr. Catherine Filejski, Veterinary Consultant, Public Health, Ministry of Health and Long Term Care

Telephone: 416-212-0424

Email: [Catherine.Filejski@ontario.ca](mailto:Catherine.Filejski@ontario.ca)

For Matters related to Domestic Animal Exposure to a Potentially Rabid Animal, with NO Human Exposure:

Dr. Maureen Anderson, Lead Veterinarian, Animal Health and Welfare, Ontario Ministry of Agriculture and Food

Telephone: 519-826-3571

Email: [maureen.c.e.anderson@ontario.ca](mailto:maureen.c.e.anderson@ontario.ca)

For assistance with or to report a case of potential rabies exposure in a domestic animal:

Agricultural Information Contact Centre, Ontario Ministry of Agriculture and Food

Telephone: 1-877-424-1300

Animal Health Lab, University of Guelph

Telephone: 519-824-4120

Website: <http://www.guelphlabservices.com/ah/>

Local Public Health Units

<http://www.health.gov.on.ca/en/common/system/services/phu/locations.aspx#7>

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