
State Regulations Governing Wildlife Rehabilitation

A Summary of "Best Practices"

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ABSTRACT

Of the 41 states in the USA that allow wildlife rehabilitation, all issue some form of license or permit authorizing the rehabilitator to conduct this activity. The specific basis for the rights, obligations, qualifications, provisions and restrictions in these licenses are contained in state regulations promulgated by the state wildlife agency issuing the license. A study of these regulations, conducted by the authors in 1994, revealed a wide variety in the type and extent of regulation (Casey, 1994). In this article, the authors provide, in their opinion, a summary of "Best Practices," highlighting those regulations that appear to be most relevant, practical and workable in facilitating the proper licensing and conduct of wildlife rehabilitation.

KEY WORDS: wildlife rehabilitation state regulations, wildlife rehabilitation applicant qualifications

What is a 'Best Practice'?

As organizations face making major changes in the way they operate, they often take time to look around and see how other similar organizations approach the same problems. Most leaders of organizations now recognize the pitfalls of the NIH syndrome ('not invented here') and thus feel it inappropriate to expend resources reinventing the wheel. As such, a process known as identifying "Best Practices" has found increased popularity and applicability in both government and business (Garvin, 1993). Simply stated, the process involves forming a group to gather data about other organizations, whether they be competitors or just simply organizations with similar goals and objectives, and then assessing which practices or techniques appear to be of most value in terms of helping those organizations achieve their desired outcomes. Obviously, the last step then remains identifying which of these best practices could benefit the group's own organization in light of desired changes.

This identification of "Best Practices" formed the basis of the second part of our 1994 study, which was founded on the survey of state regulations governing wildlife rehabilitation and follow-up discussions with some wildlife agency

staff members and rehabilitators from selected states. The first part of the study, which was an identification of the types and extent of these regulations, from all 50 states in the USA, was profiled in our first article contained in the previous issue of the *Journal of Wildlife Rehabilitation* (Casey, 1994). This second article offers our personal assessment, as licensed wildlife rehabilitators, of those state regulations governing the activities of wildlife rehabilitation that appear to be most relevant, workable and practical. As such, we recognize that our personal biases have undoubtedly influenced our conclusions and opinions, which are not expected to be fully embraced by all other wildlife rehabilitators. We do hope that this article generates discussion among rehabilitators themselves, and between them and their respective state agencies. This has been more than just an academic exercise for us, since as members of a stakeholder group convened to help assess and suggest needed changes to the current regulations in the state of Colorado, conducting the study and preparing these articles has formed much of our opinion as to what would constitute an optimum set of regulations.

Why have any Regulations at all?

In this day of big government often seeking ways to downsize themselves (Posner, 1994), and with most of us generally disliking any type of government restriction on how we conduct our lives, why have any regulations at all? We have spoken to many rehabilitators who would indeed cast their vote (very forcefully) in such a manner.

Through the survey though, it became apparent that the wildlife resources in most states, if not all states, actually belong to the people in that state as specified by state statute. And since the term 'people' is used in a collective sense and not as individuals, there are usually very direct and specific restrictions in each state's overall wildlife statutes, regulations and policies prohibiting private possession of wildlife taken from the wild. The term possession not only means long term ownership, but also includes any type of temporary holding or custody. The most common exceptions to these restrictions on private possession involve special licenses or permits for zoos, educational institutions, scientific collecting or commercial parks. And most of these do not allow for any of the animals held under these permits to ever be released back to the wild.

Therefore, for wildlife rehabilitators temporarily to hold wildlife, and later release them back to the wild, and not to violate existing state statutes and regulations, a special type of wildlife rehabilitation permit is usually needed. And for a state to issue a license or permit, they need regulations.

Is Brevity the Best?

Though intuitively appealing, overly brief regulations may not serve the best interests of all major stakeholders involved with wildlife rehabilitation — these stakeholders being the public, the state wildlife agency, the rehabilitator, and the wildlife.

The public's interests may not be best served by a wildlife agency that does not fully appreciate the role of wildlife rehabilitation. Recent trends indicate that more and more people, when finding wildlife in distress, especially orphaned wildlife, will try to get help for the animal, due to strong values and feelings of compassion for the animal when confronted with an animal's pain and suffering (Siemer, 1994). If the wildlife agency, when contacted by the rescuer, merely suggests killing the animal, the rescuer often go 'underground,' attempting rehabilitation on their own. Clearly this is not the preferred course of

action, recognizing the special skills and facilities needed to successfully conduct wildlife rehabilitation, the risks of exposure to zoonotic diseases, and the fact that rescuers sometimes fail to accept the notion of release or the need, sometimes, for euthanasia. Alternatively, if the agency recognizes wildlife rehabilitation as a legitimate wildlife activity through clear language in the regulations, then agency employees should make reasonable efforts to help the rescuer locate a wildlife rehabilitator and transfer the animal (Bolton, 1992).

An overly brief set of regulations can also create situations of conflict and uncertainty between the agency, and the rehabilitation license holder. Wildlife rehabilitation generally falls far outside the normal day-to-day activities of the agency which is more concerned with managing wildlife populations and enforcing hunting and fishing regulations. In light of agency focus on managing wildlife populations, consider the ongoing debate between wildlife biologists, field officers and wildlife rehabilitators over the merits of wildlife rehabilitation, which is focused only on a single animal. Also consider that it is the state wildlife agency that has the power and authority to issue or deny a wildlife rehabilitation license. A complete and workable set of regulations should go a long way towards serving the interests of both the agency and the rehabilitator, in establishing objective criteria around licensing provisions and release requirements. It should insure that qualified applicants receive timely acceptance and that violators of license provisions can be addressed objectively and expeditiously. Lastly, it should help insure that the regulations are applied and enforced consistently across the state, and not left solely to the judgement of the various field officers, who generally have a wide range of opinions regarding wildlife rehabilitation (Siemer, 1993).

With this bit of philosophy that forms the foundation of our perspective on regulations, we will now discuss the the examples from our survey that, in our opinion, constitute "Best Practices." (Since by press time, some of the data collected during this survey will be one year old, we apologize in advance for any subsequent revisions to specifically cited regulations that may have been enacted. We also take full responsibility for any errors, omissions and misinterpretations, which are purely unintentional.)

Purpose Underlying the Regulations and License/Permit

Though many states do provide definitions for wildlife rehabilitation, only three (MA, NY and

VT) include language in their regulations that articulates the purpose of wildlife rehabilitation, with the latter two the most clearly and completely worded. In our opinion, a well worded statement of purpose contained in the regulations helps provide a proper perspective and foundation for all of the specific regulations dealing with rehabilitation. Though not included in their regulations, CA maintains an internal policy statement that "...recognizes the value of rehabilitative care and will work with interested (parties) to provide the necessary qualified level of activity to accomplish rehabilitation of sick, injured, orphaned, or displaced California wildlife." And the strongest statement of purpose we found is included in AZ's package sent to applicants that reads "...the Department encourages responsible wildlife rehabilitation by informed individuals as a public service and for the benefit of Arizona's wildlife."

Types and Categories (or Levels) of Licenses

Most states have specified the license or permit as a "wildlife rehabilitation" license and usually support the license with regulations that are based on the normal activities in conducting wildlife rehabilitation. And it is clear that in most of these cases the state wildlife agency has taken the time to understand what constitutes wildlife rehabilitation and, thus, have the regulations best suited to rehabilitation. (There are a few exceptions such as TX, where rehabilitation is technically conducted via a scientific collection permit, but the regulations are very specific to rehabilitation.) The few states that have just placed rehabilitation under some other permit type such as educational, collecting, salvage, agricultural, or non-traditional or non-commercial livestock do not generally have regulations that are clear or specific, or helpful, or at times even relevant to wildlife rehabilitation.

Of the thirteen states that issue multiple levels of permits, generally for purposes of accommodating the novice or apprentice, none adequately address the specific roles and responsibilities of either the sponsoring rehabilitator or the apprentice, nor outline the specific criteria to signify completion of the internship period other than passage of some arbitrary time period ranging from 6 to 24 months.

Though 4 states (CO, IA, PA, and VA) issue three levels, generally to accommodate larger facilities, we feel the two level approach can accomplish the same result. It seems to us that in the best interest of the wildlife, the same regulations and requirements should apply to all license holders, whether home-based or large facility.

Qualifications and Apprenticeship

Though 18 states specify that the applicant must demonstrate "...knowledge and proficiency...", these regulations usually do not provide specific criteria against which the applicant's background, knowledge and skill will be assessed. Without specific criteria, this ambiguity can result in individuals who may not truly possess minimum skill levels being licensed more or less at the discretion of the agency staff. Three states (IN, NY and VA) specify minimum years of experience, presumably designed to ensure that the applicant has a basic knowledge level and has demonstrated sustained commitment. Without indicating specific objectives to be met during this required time period, it seems rather arbitrary and again may not adequately assess readiness to obtain a license.

Alternatively, in our view, an active and involved apprenticeship approach appears to be the best way to truly assess an applicant's knowledge, proficiency and suitability to obtain a rehabilitation license. However, as mentioned earlier, since none of the state regulations adequately address what fully constitutes apprenticeship, the quality and viability of such sponsor-apprentice relationships are seemingly left to chance. Some regulations do in fact touch on a few of the critical issues, such as VA's requirement of its Category I permittees to notify a Category II permittee within 12 hours of directly receiving an animal. Additionally, we feel that AZ and UT, whose regulations specify that the 6 month apprenticeship must include at least 8 hours of work per week, appropriately recognize that apprenticeship is more than just 'signing up' with only casual involvement.

It seems that to insure the viability of an internship program to prepare an apprentice for full licensing, the regulations should address several key areas, including: expectations of apprentices and sponsors; knowledge, skills, and experience to be acquired by apprentices; the qualifications and geographic proximity of a rehabilitator to properly fulfill the role of a sponsor, trainer and coach to an apprentice; willingness of rehabilitators to even be sponsors; legal liabilities and financial requirements assumed, if any, by the sponsor; ability to terminate the sponsorship relationship if the apprentice is not following the guidance provided or showing satisfactory progress; etc. If a state is to rely on this type of internship program as the key determinant of readiness for full licensing, these issues clearly need careful consideration in the regulations.

We also feel readiness of an applicant and suitability is demonstrated by strong recommen-

dations from other licensed rehabilitators such as required in CT, FL, LA, NJ, NM, and TX.

Lastly, even though they possess very extensive and specialized education and training and may be capable of providing excellent rehabilitative care, we believe a good practice to follow is to require all DVM's and degreed wildlife biologists who desire to conduct wildlife rehabilitation on an ongoing basis to be subject to all license requirements. This would include meeting requirements for knowledge and proficiency in working with wildlife (as opposed to just domestics), testing and continuing education (if required of other license holders), and appropriate facilities (e.g., not placing an injured fox in a kennel between two barking dogs). Several states (GA, IA, MA, ME and WA) currently exempt DVM's and wildlife biologists from some or all of these requirements to obtain and maintain a permit, citing their education as *prima facie* evidence of qualification.

Testing

Ten states (AZ, CT, ME, MA, NM, NY, OR, PA, UT, and WA) currently require passing a test in order to obtain a license. Four other states (MN, NJ, VA, and WI) strongly considering instituting a similar requirement are presumably addressing many of the challenges that accompany such a process, such as determining the basic purpose and objective of the test; who develops the test, and, who keeps it current; what subjects and topics will be covered; who evaluates and scores the answers or passing score; what constitutes acceptable answers; where and how often is the test administered, and by whom; provisions for re-testing, if an initial passing score is not achieved; periodic evaluation of the testing program to assess its effectiveness in achieving the desired purpose and objective; etc. In our opinion, if testing is desired, the state should work together with its rehabilitation community to develop and conduct an effective testing program.

For the states that currently conduct testing, the tests are generally conducted periodically during the year and at one of the wildlife agency offices. For those that specify a passing score, correctly answering at least 80% of the questions is required. A few states (AZ, MA, and NM) actually specify in their regulations the subject areas that will be covered in the test, such as wildlife rehabilitation techniques, biology and natural history, habitat requirements, safety considerations in handling and transport practices, and the various state laws and regulations that apply to rehabilitation. Some provide excellent advance study guides (NY) while others only pro-

vide a limited bibliography.

An approach to testing that has been advanced in our discussions with several of the states is that of a "take home" test, with the applicant given full latitude (and encouragement) to seek out any and all resources (books, journals, DVM's and other rehabilitators) to complete the test. This approach is more of a true problem-solving exercise, and not just a memory test, in that it requires the applicant to demonstrate initiative, develop networking, identify sources of information, and more. As such it more closely simulates what the applicant will be confronted with at his/her own facility, and can more accurately assess what the applicant's response will be to a wide range and variety of situations. (The closest approach like this is NJ's 6-page application that asks 33 questions for mammals and 27 questions for birds, all on a wide range of rehabilitation related topics.) This approach also has the benefit of requiring the applicant to seek out technical information that will be needed after the license is issued, plus requires the applicant to seek and establish the network of DVM's and other rehabilitators that again and again proves to be invaluable. (Again, this approach would most likely require the state to work closely with established rehabilitators in the construction of the test and in the scoring of applicant's responses.)

Continuing Education

Few people disagree with the need to pursue continuing education. The question is whether or not to require it through regulation. Of the 7 states that require continuing education (AZ, CA, MA, NY, PA, VT, and VA), most require that the training course or activity be approved by the wildlife agency, and in a few cases, the training is specified by the agency. With most wildlife agencies only peripherally involved with rehabilitation, it would appear difficult for an agency to be in a position to assess the individual training needs of every rehabilitation license holder in their state. Additionally, to require that licensees, as a requirement for maintaining their license, attend a specific course, on a specific day, at a specific place seems arbitrary and may completely disregard an individual's training needs, work or rehabilitation schedule, and/or financial ability to travel to attend such training.

Our view is that most rehabilitators who desire to maintain and improve their skills (and the care they provide to wildlife) already seek out the highest quality, most practical, up-to-date and credible continuing education, and not just a minimum course provided by the state. Generally this

is pursued at their own pace and ability to afford the training, and in areas where they have high interest. Agencies who wish to encourage continuing education might consider several options including offering facilities for voluntary training sessions, and at different locations around the state; publishing a bibliography of suggested books, journals, manuals and training programs as recommended by the rehabilitator community; providing conference rooms for rehabilitators to meet and share ideas; providing a library of reading or video taped educational materials that can be checked out through the mail; or adding a section to the required annual report submittal asking the license holder to describe any continuing education activities pursued during the year. Though well intentioned, forced attendance at training programs may or may not result in continued learning or education, or in improved care provided to wildlife.

Facilities

In 36 states, appropriate caging and facilities are a requirement for the initial license, with the inspection and approval process conducted by the wildlife agency, generally the field officer. As such it seems very appropriate for the state regulations to provide guidelines as to suitable caging design, construction and maintenance. This is generally done in two ways.

First, there are ten states that require adherence to either a state specified standard or one proposed by a national association, such as the IWRC/NWRA suggested standards. Though easy to understand and administer, these standards at times can imply rigidity in enforcement. A specific cage design used successfully for many years may vary slightly from a nationally suggested set of dimensions or building materials, though its functionality has been proven to meet or exceed the desired purpose. Strict adherence to such standards may serve to stifle creativity in new facility design, and, in some cases could result in otherwise qualified and needed rehabilitators being denied a license.

Alternatively, as included in the regulations of 28 other states, and our strong preference, is to specify general criteria for caging, as opposed to strict rules. Such criteria generally includes provisions for safety, ventilation, feeding and watering, ability to include natural habitat materials in the enclosure, parasite and pest control, ease of cleaning and disinfecting, sufficient size for freedom of movement and exercise, and appropriate shelter from the elements or sources of stress (predators, noise, people, domestics). We feel the

best descriptions and guidelines are contained in the regulations for AZ, GA, TN, and TX. We especially like the attention to detail in specifying facilities for recuperative care and seclusion (AZ, GA and NH), the requirement for daily observation (TX), and the recognition of special caging and handling for transportation of animals (AZ, GA and VT).

Recordkeeping

Through the survey described in our previous article, the majority of the states require an annual report with some basic information on rehabilitated wildlife (species, dates in care, etc.). Yet, while 30 states require the submission of an annual report, none of the regulations nor any of the other information collected during our survey indicated why the information was required or what would be done with the information (except for special reporting in CT related to the rehabilitation of certain rabies vector species). We can only speculate as to its uses by the state, such as determining which species come into rehabilitation, reasons they need rehabilitative care, what species are being released in which locations, and perhaps to assess successful release rates.

It has been our experience that many rehabilitators keep more complete records of their activities, most on an animal by animal basis, than the states' require. These records allow rehabilitators to monitor an individual animal's health and growth, record treatments and diet, and to assess overall success trends in various practices and techniques, etc.

Personally we believe that additional recordkeeping/paperwork should not be required if it is not going to be used. Rather, as an example of a best practice, we prefer that rehabilitators be allowed to follow CA and MO's approach of requiring that complete records be maintained by the rehabilitator, and then be available for inspection on request on an 'as needed' basis. Alternatively, if an annual report is required to be submitted, we like OR's approach of utilizing joint reporting with the Federal report which seems very workable and less redundant.

Release Requirements

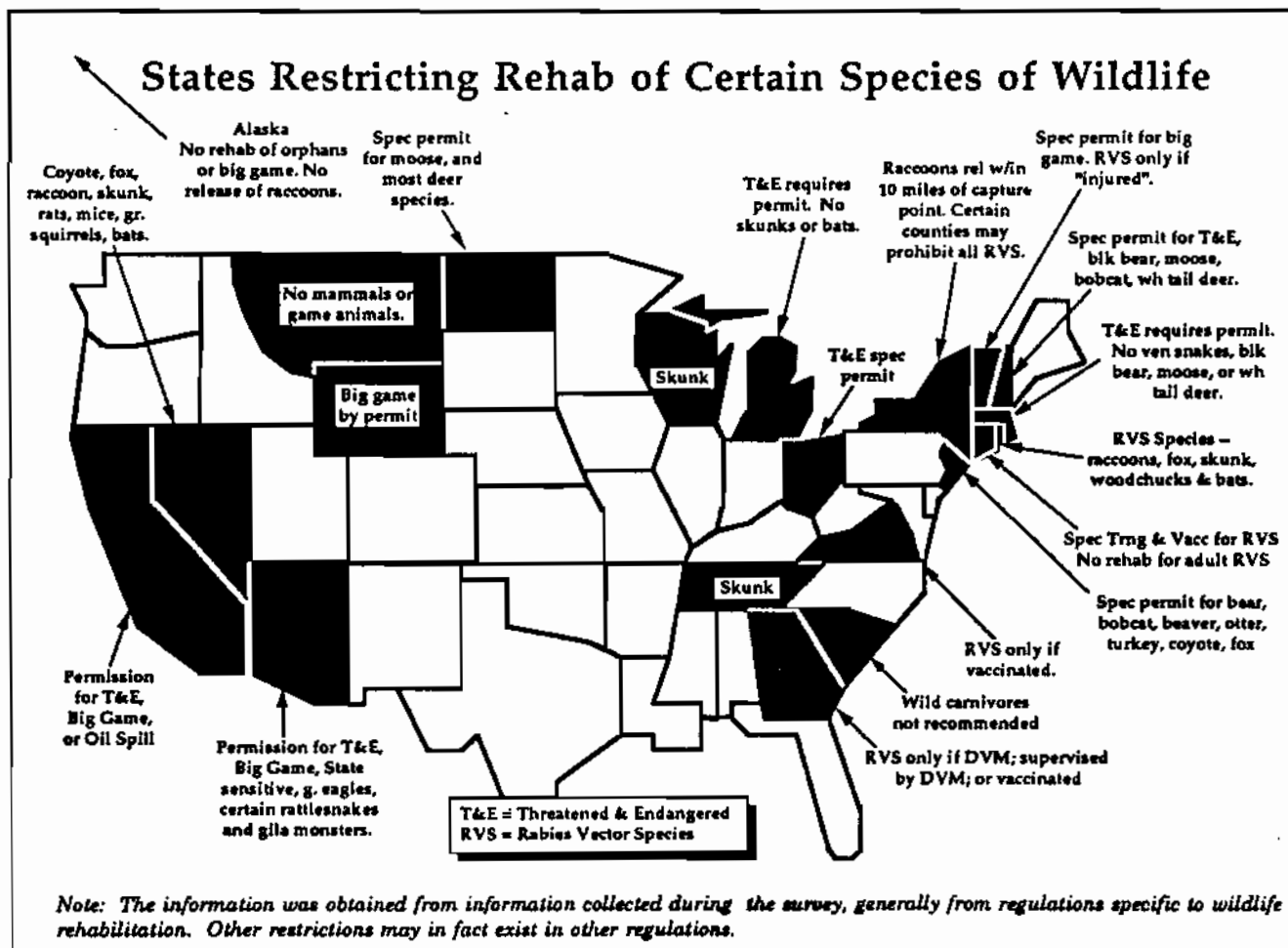
In general, the regulations address release as to location and maximum time to hold the animal. Personally, we believe AZ's regulations related to describing release to be the best. AZ's regulation, that states that "Rehabilitated wildlife shall be released at an ecologically appropriate time of year and into a habitat suitable to sustain it..." appropriately hits on the four major aspects

of release. First, *rehabilitated wildlife* implies that the wildlife in the temporary custody of a wildlife rehabilitator has reached releasability status through attaining physical and psychological maturity and/or has attained a full state of health and recovery from injury or illness (MA, NH, and VA use similar words). Secondly, *release* means to return to the wild (NM and TX additionally specify that the animal must be able to leave at will in a non-captive (presumably meaning a non-fenced) area). Third, *ecologically appropriate time of year* recognizes the animal's seasonal needs for habitat, hibernation or migration (NM also specifies this). And fourth, *habitat suitable to sustain it* implies an area that provides all life-sustaining needs for the animal including natural food, fresh water, cover and range. Such habitat is evidenced through current, natural occurrence of the species (16 states use similar language).

If this definition for rehabilitated wildlife and release is followed, then the need to specify maximum holding times is unnecessary and irrelevant. (Currently, eleven states continue to specify maximum holding times, ranging from 30 - 365 days, requiring agency approval to hold longer.)

Several other states also specify the release location relative to the point of capture, presumably to prevent possible spread of disease. As such, AZ, FL, MA, UT, and VA specify the same geographical area where the animal was originally obtained; NM and TX further restrict to the county of capture or adjacent county; while CT and NY each specify release of certain rabies vector species within 5 and 10 miles, respectively, from point of capture. In our opinion, to properly prevent the potential spread of disease, adult animals should be released within the normal home range for that species relative to point of capture. For orphaned animals that have been in rehabilitative care long enough to ascertain the health of the animal, and/or if the capture point of the orphans is unknown, it seems to us that release in suitable habitat is appropriate, with prior consultation with the local wildlife officer/biologist.

Though most rehabilitators generally release animals away from humans, NM, TX and UT specify that release must be in a manner or location where the animals are not likely to become a nuisance or threat to humans or their property. We especially like AZ's approach, more from the



animal's perspective, that specifies the release location to be "...without immediate threat to the animal of injurious contact with humans."

Six states (NH, NM, PA, TX, VT and WA) appropriately, in our view, recognize and allow for the beneficial use of non-releaseable wildlife in the rehabilitation process for purposes of cross fostering, surrogate parenting and/or orphan imprinting.

Restricted Species

As shown on the accompanying map, nineteen states contain in their rehabilitation regulations some type of restrictions placed on rehabilitators ranging from special training or handling requirements to prohibition of certain species of wildlife. Generally, these restrictions appear to exist to either protect the rehabilitator from possible exposure to zoonotic diseases from rabies vector species (RVS); prevent the spread of disease through the improper release of rehabilitated (but potentially diseased) wildlife; disallow possession of big game species that have commercial (hunting) value; or provide special instructions for the handling of Threatened & Endangered (T&E) species.

The provisions in the state regulations that prohibit rehabilitation of certain RVS animals in the interest of public safety may actually tend to increase the risk of rabies exposure to the public (Mayhood, 1994). The rehabilitator communities of NY and CT are strong advocates for allowing the rehabilitation of RVS species (Bolton, 1994, Clavette, 1994). This finding is in full recognition that NY and CT ranked #1 and #2, respectively, in highest reported cases of rabies in wildlife in 1992 (Krebs, 1993) and 1993 (Krebs, 1994). They recognize that the public, when not provided with the alternative of getting the animal to a rehabilitator, will often attempt to render aid themselves, especially when orphaned wildlife is involved. They do, however, agree with the requirement that only rehabilitators who have had special training, received the pre-exposure rabies vaccine and agreed to adhere to very tight handling, caging and reporting requirements be licensed to handle certain, high-risk RVS species (Bolton, 1994, Simon, 1994). (CT's wildlife agency and Department of Health are in full agreement with this position and have recently changed their policy that previously prohibited RVS rehabilitation, to now allow such a program for RVS orphans; have seen demonstrated success of this program (Simon, 1994); but they continue to disallow adult RVS rehabilitation. It appears the NY wildlife agency is revisiting their current prohibition of RVS rehabilitation,

citing the same concerns and conclusions as CT, though their Department of Health continues to argue for the prohibition.)

Our experience has similarly shown that when the public is unaware of the service provided by wildlife rehabilitators, or told to kill the animal because rehabilitation of that species is disallowed, the public will often disregard the regulation and attempt to rehabilitate the animal themselves. Clearly, this is not in the best interest of the wildlife, nor is it in the best interest of the public because of potential exposure to zoonotic diseases and possible spread of disease in wildlife populations due to improper release of a potentially diseased animal. The best practice in our opinion is that of the 22 states that have wildlife rehabilitation regulations and do not prohibit the rehabilitation of any native (non-imported) species. However, if restrictions do have to exist, then we believe that the CT approach provides an excellent and very workable model.

Other Practices Worthy of Special Mention

- The regulations for PA and IA allow the agency Director to appoint a group of citizens, including rehabilitators, to assist and advise the agency on certain rehabilitation issues.

- AZ requires that an application be acted upon within 60 days.

- IN and MA asks rehabilitators if they want their name placed on the list of rehabilitators or withheld from the list. This allows the individual to make their own choice, given their own preferences in dealing (or not dealing) with the public.

- AZ requires that "...transport...shall be accomplished in a manner which is least likely to cause injury to the affected wildlife." This seems to be a very important point overlooked in almost every state's regulations. This is a nice accompaniment to GA's specific transport caging requirements described earlier.

- GA, NH, PA, and TX specifically provide for the transfer of animals between rehabilitators, especially where better facilities and/or expertise can provide for more expert care.

- If a rehabilitator needs to hold an animal longer than the maximum holding time specified in the regulations, AZ allows the rehabilitator to retain custody of the animal while the request is being processed.

- HI provides written guidelines to its wildlife officers to use when evaluating applicants.

- CT and PA provide a map of the state, by county, showing the location of all of the wildlife

rehabilitators. (CT provides a separate list and map, by county, of its rehabilitators certified to rehabilitate rabies vector species.)

Summary

While we have collected, analyzed, and discussed state regulations affecting wildlife rehabilitation with many people in the last year, we do not consider ourselves experts in wildlife rehabilitation or rehabilitation regulations. Nor would we ever suggest that our personal opinion of the "Best Practices" as presented here is any more than our personal viewpoint of what we believe to be workable and beneficial. Rather, new insights and possibilities seem to emerge on a regular basis. We offer this article to encourage dialogue on these subjects with the goal of ultimately enhancing communication and developing wildlife rehabilitation regulations that work to benefit rehabilitators, wildlife agencies and wildlife.

As has become evident in Colorado's process in reviewing its current regulations using a stakeholder approach (involving rehabilitators, agency employees and the Department of Health), full consensus on all aspects of wildlife rehabilitation is probably not achievable, nor is it necessarily desirable. Our experience has shown that when diverse constituencies are encouraged to come together to share ideas, points of view and suggestions, a properly facilitated process will most often attain more complete and appropriate results than if only one person or group controls the process. As such, this article is provided in the hopes of encouraging a continuing dialogue among the rehabilitator community, and between the

rehabilitators and their state wildlife agencies.

We encourage our fellow rehabilitators to take the first step in initiating a dialogue, if it does not already exist, with your wildlife agency as we did a year ago. Most state agencies are required to seek and consider public input, though some embrace this notion more willingly than others. The process requires commitment in terms of time, patience and persistence; understanding and following discussion protocol; and maintaining a long-term perspective (and hopefully a sense of humor). If you are uncertain as to how to begin, we will be happy to discuss alternatives, as well as what worked and did not work during the revision of our state's rehabilitation regulations. If a respectful relationship and effective dialogue already exists in your state, it should be appreciated and continued.

We are convinced that through working closer together, enhancing communications and improving rehabilitation regulations, wildlife in distress ultimately will receive better care and that second chance we are all committed to provide.

(A more detailed and comprehensive report of the survey data and findings, state by state, is available from the authors through WildAgain.)

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A Vital Note about Regulations vs Policies vs Procedures.....

As we constructed our initial survey request to the 50 states, we felt that by asking for copies of the state regulations, we would more or less get that collection of all documented rules and regulations that govern wildlife rehabilitation in that state. Through our study and working with our own state, we have learned that, in addition to the regulations that may be labeled or identified specifically for wildlife rehabilitation, many states often have other related regulations that can significantly impact wildlife rehabilitation. These related regulations could be contained in other sections of the wildlife regulations, state statutes or in the regulations issued by other state agencies, such as the Department of Health. Additionally, many state wildlife agencies have a collection of internal policies, procedures and/or administrative directives that also guide, restrict and influence their actions. Examples of procedural items that could impact rehabilitation include how a facility inspection is conducted; how release sites are chosen or restricted; how rehabilitation of certain species may be restricted or prohibited; and the steps that constitute due process to help resolve disputes between the agency and the license holder.

Therefore, if you are a state licensed wildlife rehabilitator, to become more familiar with, and better understand, your rights and obligations as a licensee, and to insure your compliance with the law, you can ask your wildlife agency to provide copies of all regulations, policies and procedures that can impact your actions as a rehabilitation license holder. As mentioned earlier in the article, since rehabilitation falls outside the mainstream of most wildlife agencies, this request may entail asking additional questions and some persistence on your part.

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About the Authors...

Allan and Shirley Casey, are the founders of WildAgain Wildlife Rehabilitation, Inc., a non-profit (501(c)3) organization based in the foothills west of Denver, in Evergreen, Colorado. They have been rehabilitators since 1986, first in Texas, and in Colorado for the last four years. Permitted for small mammals, they specialize in squirrels, including extensive work with the melanistic, or black, phase of the Abert's squirrel. Through WildAgain, they also conduct and sponsor statewide training on introductory and advanced rehabilitation subjects. WildAgain's goals also include enhancing relationships between rehabilitators and regulatory agencies, and furthering the State of the Art of wildlife rehabilitation.

The Caseys both hold the degrees of Master of Business Administration from Southern Methodist University. When not rehabilitating, Allan is a financial manager for a major international coal mining and marketing company headquartered in Denver. Shirley is President of Strategic Linkages, Inc., which provides consulting services. Shirley is also active statewide in several environmentally focused organizations, including the Colorado Environmental Coalition. Additionally, Allan and Shirley both serve on the Board of Directors of the Colorado Alliance of Wildlife Rehabilitators.