

A Survey and Study of State Regulations Governing Wildlife Rehabilitation—2004 Update: Current Regulations and 10-Year Trends

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Abstract: This survey and study provides a current analysis of the state regulations that governed wildlife rehabilitation in the United States during 2004. It provides a view of the trends in changes to the same regulations over a 10-year period, when compared to the results of prior studies conducted in 1994 and 1999. The results of this and the prior studies have proven very useful for wildlife rehabilitators and wildlife agencies engaged in contemplating changes or revisions to existing regulations. The results suggest that state wildlife rehabilitation regulations are maturing to the extent they are changing less frequently and less substantively. Additionally, likely due to funding pressures facing wildlife agencies, the more recently implemented regulations favor less complex permitting systems that are less time consuming to administer.

Key Words: State wildlife rehabilitation regulations, wildlife rehabilitation permits, wildlife rehabilitator qualifications, caging standards, wildlife rehabilitation continuing education, wildlife rehabilitation, state wildlife agencies.

PURPOSE OF THE STUDY

The primary purpose of this study was to compile statistics on and analyze the regulations that governed the activity of wildlife rehabilitation in the 50 United States during calendar year 2004. The same data was first compiled by the authors during 1994 in advance of working with the Colorado Division of Wildlife during a major re-write of the existing wildlife rehabilitation regulations. The data collected proved to be very useful to the stakeholder group convened to rewrite the regulations. The group was comprised mostly of personnel from the state wildlife agency, department of health, and wildlife rehabilitators. Instead of starting from scratch and potentially reinventing the wheel, the working group was able to quickly see how wildlife rehabilitation was regulated in other states and discuss the regulations with other agency personnel and rehabilitators in other states. This helped the group to select from what seemed to work best in other states, and avoid adopting regulations that had proven unworkable or burdensome in other locations.

The authors shared this information, including that process of working with the state agency, in a series of four articles published in the *International Wildlife Rehabilitation Council (IWRC) Journal of*

Wildlife Rehabilitation (Casey and Casey 1994; 1995; 1996a,b). Feedback from other rehabilitators and state wildlife agencies was that the information was proving useful for them as well in their efforts to craft new or changed regulations. It was because of continued feedback regarding the value of this study that the authors repeated the same study in 1999 (Casey and Casey 1999) and most recently in 2004. Information from the 1999 study was provided to the United States Fish and Wildlife Service (USFWS) during their creation of a new permitting system for the rehabilitation of all migratory bird species during 2003, and was specifically cited in their final comments published in the Federal Register (US Government Printing Office 2003).

Having previously performed the prior two studies, a secondary purpose of this study in 2004, was to examine and identify any significant trends in changes to the regulations during the ten-year period 1994 to 2004.

METHODOLOGY

The methodology for the study followed the same approach used for the earlier two studies. A one-page letter was mailed to the headquarters office of each of the 50 state wildlife agencies in the United States in September of 2004. The letter requested four different types of information. First, a copy of the regulations that govern wildlife rehabilitation. Second, copies of any state agency (Wildlife/Health/Agriculture) policies and procedures that affect rehabilitation. Third, copies of any state statutes that affect rehabilitation. Fourth, copies of any materials sent to new applicants, such as application and annual report forms or study guides.

Almost three-quarters of the states (36) responded to the first written request. A second request was mailed in November, resulting in receipt of the requested information from eight more states. The last six states responded only when prompted by a phone

Table 1. *Wildlife Possession Restrictions.*

	2004	1999	1994
Regs prohibit private possession	50	50	50
Temporary possession OK for rehab.	46	45	42
Temporary possession OK for rescuers	3	3	0

Table 2. *Rehabilitation Permit Regulations.*

	2004	1999	1994
Regulations are specific to rehab.	39	33	31
Permits are specific to rehabilitation	45	40	38
Permit fee (or can be assessed)	12	9	5
Permit duration			
One year	29	27	27
Greater than one year	16	14	14

Table 3. *Levels or Categories of Permits.*

	2004	1999	1994
Single category	28	31	29
2 (provides for an apprentice class)	9	6	9
3 categories	5	5	4
4 categories	3	3	0

Table 4. *Personal Qualifications.*

	2004	1999	1994
Experience requirements			
"Knowledge & proficiency"	24	22	18
Minimum experience (mo. or yrs.)	15	11	3
Apprenticeship			
6 months or less	4	3	3
12 months or more	12	9	5
Pass a test (score > 80%)	16	15	10
Age			
At least 18 years of age	20	13	6
Less than 18 years of age	1	2	2
References			
Assisting veterinarian	35	29	23
From another rehabilitator	16	12	8
General character reference	11	11	10

call in February 2005. Information was used in the study as received and when received.

As in the prior two studies, the primary areas of analysis included the same 10 subject areas, including:

- Type of permit and general conditions

- Personal qualifications (experience, testing, etc.)
- Caging (requirements, approvals)
- Inspections (facilities and records, notice)
- Annual report (format, content, due date)
- Recordkeeping (format, content)
- Release (maximum holding time, location)
- Restricted and prohibited species (Rabies Vector Species [RVS], Threatened and Endangered species [T&E])
- Application form (form, content)
- Incoming animal requirements (examination by a veterinarian, etc.)

The included set of tables indicates various aspects of the regulations and the number of states that had such a requirement in each of the three study periods.

PERMIT TYPES AND GENERAL CONDITIONS

All 50 states have a general prohibition on any type of private possession of native wildlife (Table 1). A permit, license, or other authorization is required to even temporarily possess wild animals for the purpose of rehabilitation. All but four states currently allow for some form of wildlife rehabilitation. Some states, recognizing that a well-meaning rescuer is technically in violation of this private possession prohibition, now allow the temporary possession by the public but only for purposes of rescue and immediate transport to a rehabilitator.

While there are 46 states that allow for wildlife rehabilitation to be performed by permitted or licensed individuals, only 39 states have regulations that are specific to rehabilitation (Table 2). The other states allow for the activity under some other type of permit or agency authorization or supervision. Since 1994, the number of states that now have or can charge a fee associated with issuance of the permit has doubled. Approximately two-thirds of the permits issued are for the period of one year, the rest are issued for time periods longer than a year.

While most states (56%) only issue one level of permit, about one-third of the states issue multiple levels of permits, generally associated with experience levels or for those activities that require special procedures or training, such as rehabilitating rabies vector

species. As shown in Table 2, the category that experienced an increase in the last five years is that of two levels of permit. This is generally a standard or full permit, as well as a permit for an apprentice or sub-permittee.

PERSONAL QUALIFICATIONS

The most significant changes in personal qualifications required to receive a permit deal with minimum experience and age requirements. While about half of the states (48%) require general "knowledge and proficiency," 15 states, a five-fold increase over 1994, now require a minimum amount of experience as measured in time of months or years. Additionally, there has been a doubling of the states that now require a formal apprenticeship period under the supervision of another rehabilitator, ranging from as short as six months, but is generally 12 months, or longer in some states. Approximately one-third of the states now require successful passage of a written test (usually with a score of 80 percent or better), as shown in Table 4. However, only one state added this requirement in the last five years. Almost half of the states now require the permit holder to be at least 18 years of age. Lastly, a reference is usually required from a veterinarian, with about one-third of the states also requiring a reference from another rehabilitator.

PERMIT RENEWAL

Most states (76%) require the completion and submission of an annual report in order to renew the permit for the next year. Almost one-third also now require a separate renewal application as well. As shown in Table 5, there has been a doubling in the last ten years in the number of states that require some form of continuing education in order to renew a permit. Some require evidence of continuing education activities each year, while others only require it over a period of years. Some states must approve the training in order to qualify, while most states leave the selection of the training activity to the individual rehabilitator.

Table 5. Permit Renewal Requirements.

	2004	1999	1994
Submit annual report	38	34	30
Submit renewal application	13	13	9
Continuing education			
Each year	5	4	3
Every 2 to 3 years	7	4	2
Required, but not specific	4	3	2

Table 6. New Emerging Permit Provisions.

	2004	1999	1994
Use of (unpermitted) volunteers OK	21	16	9
Must not conflict with local ordinances	18	11	*
Agency not responsible for costs	16	16	*
Can't charge the public (donations OK)	14	10	*
Wildlife remains property of the state	12	10	*
Permit issued based on need	12	9	*
Does not auth. practice of vet medicine	11	8	*
* Not tabulated in the 1994 study.			

Table 7. Caging Requirements.

	2004	1999	1994
Specificity in regulation			
General in nature	31	35	28
Specific requirements	18	13	9
NWRA/IWRC Minimum Standards	19	13	3
Cages required for all ages	17	14	12
No public display or contact	29	21	10

Table 8. Inspections.

	2004	1999	1994
Required for initial permit issuance	46	44	37
Timing or notice required			
"at reasonable times"	22	19	15
Normal business hours	5	4	4
Immediate	5	6	5
Not specified	17	19	16
May be unannounced	6	6	6

NEW AND EMERGING GENERAL PERMIT PROVISIONS

The data contained in Table 6 indicates some of the emerging provisions and conditions that state wildlife agencies have begun to include in the last five years. Some of these provisions are fairly obvious and unob-

Table 9. Annual Report—Requirements.

	2004	1999	1994
Specific format specified	36	32	27
Contents			
List each animal	41	41	36
Source or cause	21	19	14
Date in	36	32	24
Date out	35	32	26
Disposition	43	40	34
Release location	8		

Table 10. Annual Report—Due—Date.

	2004	1999	1994
Monthly	1	1	1
Quarterly	1		
Semi-annually	1	1	1
Dec 31	8	9	6
Jan 10 - 20	6	7	5
Jan 30 - 31	24	19	17
Feb 01	2	3	2
Jul 15	1		

Table 11. Recordkeeping.

	2004	1999	1994
Format specified	17	15	13
Timeliness			
Current / up-to-date	12	11	9
Daily / within 24 hours	6	5	4
Available for inspection			
Yes (not specific)	16	14	11
At reasonable times	16	16	14
Maintain for:			
1 year	1	1	1
2 years	3	2	0
3 years	2	2	0
5 years	4	2	2

trusive, such as the permit does not authorize the practice of veterinary medicine; wildlife undergoing rehabilitation always remains property of the state; and the agency is not responsible for any costs associated with rehabilitation activities.

Other of the provisions listed can be more challenging in obtaining a permit, such as the permit must

not conflict with any local ordinance. This may require the permit applicant to first work with the local planning and zoning officials to change local regulations to allow for the temporary housing of wild animals within city limits. Another is that permits may be issued based upon need as assessed by the agency. This could also serve as a barrier for a new applicant based on the agency's sole and arbitrary determination that it believes there are "too many" or "enough" rehabilitators in a given area.

CAGING AND INSPECTION REQUIREMENTS

All of the states that allow wildlife rehabilitation activities require that an initial cage inspection be conducted by the agency or its representative. The inspection is generally conducted after the application has been submitted and is conducted by the local wildlife officer. Many states (62%) only have very general requirements for caging in the regulations, while more states (doubling since 1994) have adopted very specific requirements and criteria. Over one-third of the states refer to the caging guidelines as contained in one or more editions of the NWRA/IWRC *Minimum Standards for Wildlife Rehabilitation* document (*Minimum Standards*) (White 1988; Miller and White 1993; Miller 2000). As shown in Table 7, about one-third of the states require caging suitable for all ages of the animals in rehabilitation, while over half now require no public display of rehabilitation animals or contact with domestic animals.

As shown in Table 8, inspections generally require some amount of prior notice to be provided by the agency to the rehabilitator. Most of the inspections are conducted during reasonable times or normal business hours, however some state regulations stipulate that the inspections can be either immediate or unannounced.

ANNUAL REPORT

Most of the states specify the format for the required annual report. Most states specify the same data items to be included in the report. As shown in Table 9, most require that the permit holder report the receipt of each animal on an individual basis, as well as date in, date out, and disposition. A little less than half of

the states require reporting of the source or reason the animal was admitted to rehabilitation. In this study, eight states now require that the release location be reported for each animal.

The due-date for the annual report varies as to frequency and date among the states. As shown in Table 10, some states require reporting on a monthly, quarterly, or semi-annual basis. For those that only require an annual submission of activity, the due dates fall at the end of the year, between December 31 and February 1. One state requires the report on July 15, right in the middle of most rehabilitators' busiest time of year.

RECORDKEEPING

While most states require a periodic report, only about one-third of the states specify a format for the ongoing maintenance of records and logs. As shown in Table 11, some states have requirements as to keeping the records up-to-date, sometimes daily; availability for inspection by the agency; and the period of time the records must be kept by the permit holder, in some cases up to five years.

RELEASE OF ANIMALS AND NON-RELEASEABLES

Twenty states have consistently maintained approval authority over release location during the 10-year study period. As shown in Table 12, the states have become much more interested in stipulating in regulation that the animals be released in the vicinity of the capture point or no more than five to ten miles from the original capture point. Additionally, a few of the regulations now require that the rehabilitator obtain landowner permission prior to release on any privately owned land.

In addition to specifying location requirements, many states have specified maximum time limits on holding an animal prior to final disposition. As shown in Table 13, 10 states require release as soon as possible. Another 21 states specify maximum holding times ranging from 30 days up to one year, with most specifying 180 days. Fifteen states do not specify a time limit, leaving time in captivity and final release to the judgment and discretion of the rehabilitator.

Because of the prohibition on private possession of native wild animals, most states do not allow rehabilitators to keep indefinitely those animals that may have recovered from injury or disease, but for one or

Table 12. Release of Animals—Location.

	2004	1999	1994
As designated by the agency	20	20	20
In vicinity of capture point	14	12	7
Within 5-10 miles of capture point	3	3	2
Requires landowner permission	3	0	0

Table 13. Release of Animals—Maximum Holding Time.

	2004	1999	1994
None specified	15	18	17
"...ASAP..."	10	13	10
Max. days 30	1	1	1
60	2	2	3
90	5	5	2
120	1	1	1
180	10	4	3
365	2	1	1

Table 14. Options for Non-releaseables.

	2004	1999	1994
Use as an educational animal	27	24	
Scientific research use or breeding	14	14	} 23
Placed with a zoo	12	11	
Beneficial use in rehab (fostering)	6	6	6

more reasons are unreleaseable to the wild. However, as shown in Table 14, some states do allow for these animals to be kept in captivity, generally for use as an educational program animal, but also, in some cases, for scientific or breeding purposes; placed with an accredited zoo; and kept by the rehabilitator for beneficial use in the rehabilitation process, such as fostering orphan animals.

RESTRICTED AND PROHIBITED SPECIES

The restrictions and prohibitions placed by the wildlife agency on the rehabilitation of certain species are always contentious issues with wildlife rehabilitators. A *restriction* generally allows for rehabilitation of a species, but requires that certain conditions be met by the rehabilitator. These conditions can include such things as receiving special training, following specified safety procedures, or release of animals only in certain pre-determined locations. At least if the restrictions are satisfied and complied with, these animals can be rehabilitated in accordance with the regulations.

Table 15. Wildlife Possession Restrictions.

	Restricted			Prohibited		
	2004	1999	1994	2004	1999	1994
Rabies Vector Species						
Raccoon	15	10	5	5	6	3
Skunk	13	9	6	6	7	4
Fox	11	8	6	4	5	2
Bat	9	5	3	3	3	1
Coyote	6	4	1	3	3	1
Bobcat	6	5	5	1	2	
Woodchuck	4	3	1	1	1	1
Adult RVS				2	2	
Opossum	1	1				
Game Animals						
Deer	15	13	5	2	2	1
Black Bear	8	6	5	4	2	1
Moose	4	4	4	1	1	1
Elk	3	2	1	2		
Mtn. Lion	3	1	1	2		
Big game	1	2	2	1	1	1
Any game				1	1	1
Other game species	1	1	1			
Threat. & Endangered						
Approval required	7	7	5	*	*	*
Notification						
24 hours	10	4	6			
48 hours	5	3	2			
72 hours	2	2	1			
Other Concerns						
Environmental	1	1		3	2	1
"Dangerous"				3	1	1
All mammals				4	3	1
Orphans				1	1	1

*T&E species generally prohibited for an apprentice or sub-permittee

wildlife agencies seem appropriately concerned about rehabilitation of RVS, they prefer to allow the activity, but with restrictions aimed at protecting human health and safety, as well as preventing spread of the disease to clean populations and geographic areas. As a permitted activity, the agency has regular visibility and access into rehabilitator activities with these species. Alternatively, during the last five years, there has actually been a decrease in the number of states prohibiting the rehabilitation of some RVS.

The group of species loosely categorized as game animals also saw a slight increase in restrictions and prohibitions. Most of these states are the more popular hunting destinations in the United States, where the wildlife agency generates a significant portion of its revenue from hunting of big game animals, and thus may not want any type of non-consumptive human interaction with these revenue-producing species, even if only in a rehabilitation capacity.

The most commonly cited benefit of rehabilitation is helping to preserve those animals with T&E

A prohibition placed on a species usually means that the animal cannot be rehabilitated under any circumstances. In many situations, a study of rehabilitator behavior as well as anecdotal evidence suggest that this just pushes the rehabilitation activity underground, outside of the permit and regulations and agency oversight (Siemer and Brown 1992).

As shown in Table 15, at least for RVS, while state

status, so this category has no prohibitions (except for the apprentice class). The few states that have restrictions generally require prior approval to admit these animals into rehabilitation, followed by fairly quick notification to the agency.

Lastly, also as shown in Table 15, there are a few other general areas of concern that prompt wildlife agencies to prohibit the rehabilitation of certain

animals. These concerns include potential environmental impact; working with “dangerous” animals that could harm the caregiver or others; rehabilitation of any mammal species; and rehabilitation of any orphaned animals. As stated earlier, these prohibitions may result in moving rehabilitation activities into an underground venue that is unsupervised by the agency.

ANALYSIS—NATURE OF CHANGES 1999-2004

Some change in the regulations was noted in 28 states. As shown in Table 16, most of this change (in 18 states) was of a minor nature, generally the addition or modification of a small administrative item. Two states had more moderate changes, while eight states either adopted new regulations for the first time, or totally revamped an existing set of regulations.

The areas of the regulations that had the most change dealt with implementing expanded record-keeping; additional restricted and prohibited species; tougher personal qualifications to obtain a permit; expanded caging requirements; and specific release requirements or locations.

ANALYSIS—DEGREE OF CHANGE 1994-2004

Another way to assess the degree of change that occurred during the last five years is to compare the period to the changes that occurred during the previous five-year period spanning 1994 to 1999. As shown in Table 17, the overall rate of change was slower during the most recent five years. Changes occurred during the last five years in only 28 states, a 15 percent decrease from the previous five years when 33 states adopted changes. Changes in the individual items listed in the table slowed about 30 percent on average between the two time periods. This suggests that the wildlife

Table 16. Nature of Changes (1994–2004).

	Total	New/ revamp	Moder. change	Minor change
States with changes	28	8	2	18
Expanded recordkeeping	14	8		9
Restricted / prohib. species	12	6	1	5
Tougher qualifications	11	8	1	2
Expanded caging reqmnts.	11	7		4
Specific release reqmnts.	11	7	1	3
Minor administrative changes	7		1	6
Use of volunteers now OK	6	3	1	2
Minimum age reqmnt. (18 yrs)	6	6		
Non-releaseables OK	4	4		
Multiple permit levels	3	3		
Continuing education reqmnts.	3	3		
Test required (>80% to pass)	1	2		-1

Table 17. Degree of Change (1994–2004).

	Changes 1999-2004	Rate of change	Changes 1994-1999
States with changes	28	-5	33
Expanded recordkeeping	14	-3	17
Restricted / prohib. species	12	-7	19
Tougher qualifications	11	-6	17
Expanded caging reqmnts.	11	-4	15
Specific release reqmnts.	11	-3	14
Minor administrative changes	7	-7	14
Use of volunteers now OK	6	-1	7
Minimum age reqmnt. (18 yrs)	6		6
Non-releaseables OK	4	-1	5
Multiple permit levels	3	-3	6
Continuing education reqmnts.	3	-1	4
Test required (>80% to pass)	1	-4	5

Table 18. Trends in New Regulations (eight states).

	<u>General Permit Requirements</u>
8	Requires assisting veterinarian
7	Not in conflict with local ordinances
7	Initial facility inspection by agency
4	Initially requires a sponsoring rehabilitator
3	Does not authorize practice of vet. medicine
	<u>Personal Qualifications</u>
6	Documented experience (200 hrs. to 2 yrs.)
6	Rehabilitator reference (generally from sponsor)
5	At least 18 years of age
3	Initial training course required
3	Will accept another state permit (for experience)
3	Continuing education required
	<u>Caging</u>
7	No public display & separation from domestics
7	NWRA/IWRC Minimum Standards referenced
	<u>Recordkeeping</u>
7	Submit annual report (generally year-end)
4	Release location added to annual report
	<u>Staffing / Donations</u>
5	Use of volunteers OK (including off-site care)
4	May not charge for services (donations OK)
	<u>Restricted / Prohibited Species</u>
5	Restricted species (generally RVS)
4	Prohibited species
	<u>Release of Animals</u>
5	Euthansia standards or requirements specified
4	Maximum holding time specified (180 days)
4	Release location must be near capture point
3	Obtain landowner permission prior to release
3	No transfer / release across state lines
3	Report any diseased animals

agencies see the regulations as appearing to be stabilizing and perhaps maturing.

It is also interesting to note that the areas receiving the highest number of changes during the 1994–1999 time frame were essentially the same areas as during the most recent five years.

ANALYSIS—TRENDS IN NEW REGULATORY SYSTEMS

Eight states adopted totally new regulations during the last five years (Figure 1), with most of them constituting a revamp of previously existing permit systems. A

closer analysis of these new systems may likely help to anticipate changes seen in the future as other states adopt completely new regulations.

The types of regulatory requirements seen most frequently in the new systems adopted by these eight states are shown in Table 18. The number to the left of each regulatory requirement indicates the number of states that now have that requirement.

ANALYSIS—CAGING STANDARDS

Currently, 19 states make some reference to the *Minimum Standards* specifically as the document relates to caging and enclosures. As shown in Table 19, these states use differing language and terminology when referring to the extent to which the document should influence an applicant's caging from "meet or exceed" to "guideline." Additionally, states refer to different editions of the document, from the six states that cite the "current edition," to the 13 states that refer to one of the three specific editions published since 1988.

As shown in Table 20, this trend of inconsistently referring to the *Minimum Standards* among the states has continued even as new regulations have been adopted during the last five years. The outlined boxes indicate how seven of the eight states that have adopted new regulations that cite the *Minimum Standards* have referred to them when establishing caging regulations from the more strict "Meet or exceed" to only "Based on," and from the "Current edition" all the way back to the second edition of the document. Further complicating this is the USFWS reference to *only* the third edition of the document (and not any future editions), and only as a "Guideline."

ISSUES

Two broad issues emerged during this review and analysis of the regulations. The first is that sponsorship of new rehabilitators is becoming a more formal requirement. The second is the funding pressures facing state wildlife agencies.

As discussed earlier, 16 states now require a formal apprenticeship period with another rehabilitator, double the states with a similar requirement in 1994. The apprenticeship period in most cases lasts for a year or longer. This growing requirement prompts several key questions, such as do all rehabilitators make good sponsors or mentors? Where and how do the sponsors receive training on how to properly coach and train an apprentice? Are sponsors available to train and supervise new people when considering their own caseload demands? Are sponsors located in geographically proximate area to provide adequate

supervision? Many sponsor /apprentice arrangements are done on a very informal basis without clear establishment of expectations and expected outcomes, leading to frustrating situations where rehabilitators will no longer take on coaching a new individual. Also the longer apprenticeship time requirements have prompted some sponsors to question the value of the time spent, since the average tenure of a new rehabilitator averages three to four years (Casey and Casey 1998; 1999). These and other questions and issues around the training of new rehabilitators need to be addressed.

A second major issue that emerged during the study was the fact that most state wildlife agencies are experiencing cutbacks in staffing, programs, and services due to increased budget pressures. Non-revenue producing programs such as wildlife rehabilitation are and will likely continue to receive increased agency

budget scrutiny as wildlife agencies seek ways to trim services and costs. Rehabilitation permit systems require time and staffing to administer. As such, permit requirements requested by rehabilitators need to be “value-adding” in scope and application, and not just “nice to have” (Casey and Casey 2000a, b). For example, this raises the question about the true criticality and necessity of such things as the issuance of multiple tiers or categories of permits, or the real benefit achieved from requiring a comprehensive written application test. Permitting systems that are overly complex may likely come under review for streamlining, or worst case, discontinuance. Wildlife agencies with staffing shortages may make changes to only issue permits based on the agency’s perceived need for such activity, or based on limited staffing available to conduct inspections and process permit renewals.

Table 19. NWRA/IWRC Minimum Standards (Caging).

States	Edition referenced	Meet or exceed	Meet	Comply with	Follow	Based on	Guide-line
6	“current”	2		2	2		
3	3rd edition			3			
9	2nd edition	1	3	3	1	1	
1	1st edition						1
19	Total	3	3	8	3	1	1

Table 20. NWRA/IWRC Minimum Standards (Caging).

States	Edition referenced	Meet or exceed	Meet	Comply with	Follow	Based on	Guide-line
6	“current”	2		2	2		
3	3rd edition			3			FWS
9	2nd edition	1	3	3	1	1	
1	1st edition						1
19	Total	3	3	8	3	1	1

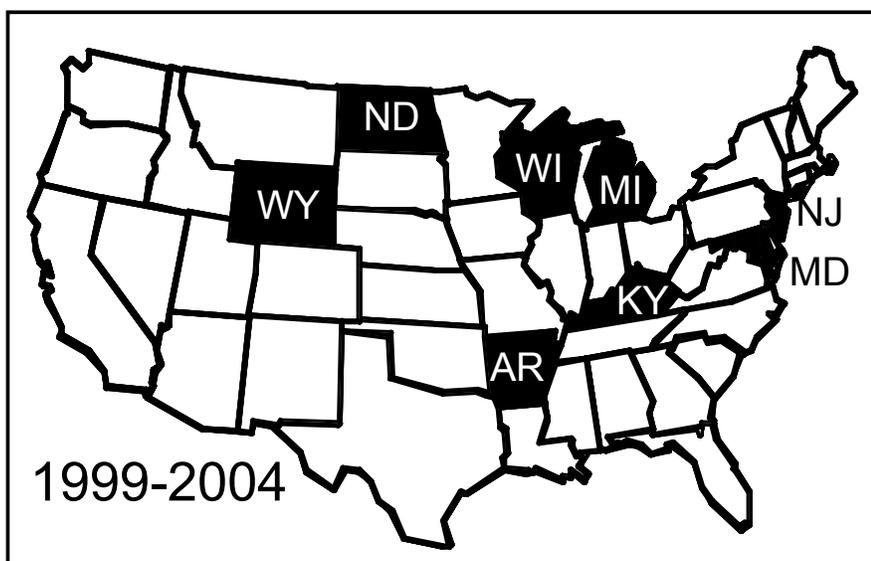


Figure 1. States adopting new regulations during the last five years.

CONCLUSIONS

Just as in the prior two studies, this effort has involved the review and analysis of an extremely large amount of data. The tabular presentation of the data above is intended to provide statistical information in a concise and easy format. Additionally, trends can be inferred from the data, as it is provided, in many cases, for a ten-year time period.

After all the number crunching, the following trends emerged from the study:

1. The state wildlife rehabilitation regulations across the United States seem to be maturing. Most states now have a workable set of regulations. The rate of substantive change or modification to the regulations appears to be slowing, either to the fact the regulations that have been implemented in the last 10 years are in fact working and need little change, and perhaps due to the fact that agencies may not have the discretionary time to embark on a regulatory change process involving a non-revenue producing program. (Personal conversations with permitting officials at several of the state wildlife agencies stated that unless something is broken in the existing set of regulations or an emergency need arises, regulations governing non-revenue programs receive low priority.)
2. The changes in the eight states (Table 17) range from regulations that are more strict in permit conditions (especially in cases when no permit previously existed) to regulations that are less strict (loosening restrictions that previously existed). Overall, however, the newly implemented regulations in the eight states during the last five years, whether they be more strict or less strict, mostly favor less complexity in the permitting systems in terms of scope and administration. Generally, the new systems have no more than two levels of permit (such as a full rehabilitator permit as well as a more limited apprentice class of permit); have fewer testing requirements; and are generally designed to minimize time requirements on the state wildlife agency.
3. In the area of restrictions and prohibitions placed on the rehabilitation of certain wildlife species, the trend is toward more restrictions and fewer outright prohibitions. These are generally put in place to protect human health and safety. This trend of more restrictions at least means that animals can be rehabilitated with the oversight and knowledge of the agency, such that the activity is

not pushed underground.

4. Caging requirements are becoming more specific in the regulations, with more states incorporating specific criteria to guide the design and attributes of rehabilitation enclosures. These requirements are also beginning to incorporate more separation of enclosures from domestic animals and require no display or exposure of rehabilitation animals to the public. While more states are referring to the *Minimum Standards* for caging requirements, these are very inconsistent as to the extent the document should serve as a hard and fast requirement versus only a guideline, and inconsistent with which edition of the document is referenced.
5. Finally, the study confirms the continuance of many standard types of requirements in the regulations, such as requiring a consulting veterinarian and an initial cage inspection, but also reveals the emergence of many "new" requirements. These new requirements include such things as adherence to local ordinances governing possession of wild animals; more and longer apprenticeship time periods; specific and prompt reporting of diseased animals; more specific reporting of release locations for each animal; and the need to obtain landowner permission prior to release of animals on to privately owned land.

In closing, as in the various papers and articles written about the prior two studies, the authors continue to strongly encourage any rehabilitator to stay aware of when their state wildlife agency is contemplating changes to the rehabilitation regulations and become actively involved in the process. States regularly work with their traditional constituencies of hunters and anglers when establishing hunting and fishing regulations. Since wildlife rehabilitation is an activity that is typically outside the agency's normal scope of activities and knowledge, it becomes even more important for rehabilitators to offer their knowledge and perspective when regulations governing wildlife rehabilitation are being established.

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