

**Colorado Division of Wildlife - Chapter 14 - Wildlife Rehabilitation  
Changes to regulations adopted March and May 2009**

Background	New provision	Previous provision
<b>(1.) Learning Plan required for Provisional Wildlife Rehabilitators (effective 5-1-2009)</b>		
Over the past several years, the use of a voluntary, guided learning plan between the sponsor and the provisional has been encouraged by the Division to assist with the training of new rehabilitators, with varied degrees of success.	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, 16 specific topics as listed in Chapter 14. <b>#1401(A)(2)(a)(7)</b>	No formal Learning Plan previously required.
	Provisional Wildlife Rehabilitators shall submit to the Division an annual update of Learning Plan progress, which shall be approved and signed by the sponsor, no later than January 31 annually. <b>#1402(C)</b>	No formal Learning Plan previously required.
	At the time of the upgrade request, submission of the completed Learning Plan, approved and signed by the sponsor, including dates upon which each segment was successfully completed. <b>#1401(A)(2)(b)(11)</b>	No formal Learning Plan previously required.

**(2.) Upgrading from Provisional Wildlife Rehabilitator to (full) Wildlife Rehabilitator License (effective 5-1-2009)**

Over the last 10 years, the median time that a Provisional was in training was 16 months. However, there were a number of Provisionals that upgraded in less than one year, and as short as just a few months. This resulted in some new rehabilitators not having the learning experience during a full annual cycle of rehabilitation activity.	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. <b>#1401(A)(2)(b)(12)</b>	No minimum time requirement.
	At the time of the upgrade request, submission of the completed Learning Plan, approved and signed by the sponsor, including dates upon which each segment was successfully completed. <b>#1401(A)(2)(b)(11)</b>	No formal Learning Plan previously required.
	Provisional 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. <b>#1401(A)(2)(b)(13)</b>	No interview previously required.

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**(3.) Requirements of Wildlife Rehabilitators acting as Sponsors (effective 5-1-2009)**

<p>The requirements of sponsorship are also strengthened so that provisional licensees are provided with active guidance on the part of the sponsor, ultimately better equipping the provisional to care for animals on their own as they progress to full rehabilitator status. Requirements that sponsors sign provisional applications, attend the provisional's interviews with the DWM and facility inspection, and sign the annual report are added and are intended to ensure that sponsors play an active role in ensuring that animals are well cared for and released at the earliest opportunity. Sponsors are also required to sign off on all parts of the learning plan, certifying its completion and the readiness of a provisional to become fully licensed.</p>	<p>Only Wildlife Rehabilitators with a minimum of three (3) years of experience as a fully-licensed Wildlife Rehabilitator may <b>sponsor</b> 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. <b>#1401(A)(1)(b)(3)</b></p>	<p>Previously no experience requirement.</p>
	<p>No Wildlife Rehabilitator may <b>sponsor</b> more than three (3) Provisional Wildlife Rehabilitators at the same time. <b>#1401(A)(1)(b)(2)</b></p>	<p>Previously unlimited.</p>
	<p>For a prospective Provisional, submission of a completed written application form provided by the Division, and approved and signed by the applicant and the applicant's <b>sponsor</b>. <b>#1401(A)(2)(a)(4)</b></p>	<p>Previously no requirement to co-sign.</p>
	<p>Prior to the submittal of the application the (Provisional) applicant and the <b>sponsor</b> must prepare a Learning Plan, intended to guide the applicant's development as a wildlife rehabilitator. <b>#1401(A)(2)(a)(7)</b></p>	<p>No formal Learning Plan previously required.</p>
	<p>If a Provisional applicant plans to use their own facilities, the <b>sponsor</b> must inspect and approve those facilities prior to submission of the Provisional Wildlife Rehabilitator application. <b>#1401(A)(2)(a)(3)</b></p>	<p>Sponsor not required to pre-inspect.</p>
	<p>Applicants shall be interviewed and their facilities inspected by the Division prior to the issuance of any license. The applicant's <b>sponsor</b> shall attend the interview and facilities inspection. <b>#1401(A)(2)(a)(14)</b></p>	<p>No interview previously required.</p>
	<p>At the time of the Provisional's upgrade request, submission of the completed Learning Plan, approved and signed by the <b>sponsor</b>, including dates upon which each segment was successfully completed. <b>#1401(A)(2)(b)(11)</b></p>	<p>No formal Learning Plan previously required.</p>
	<p>Provisional 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 <b>sponsor</b> shall attend the interview and facilities inspection. <b>#1401(A)(2)(b)(13)</b></p>	<p>No interview previously required.</p>
	<p>All license holders must submit to the Division a report containing annual caseload information, on forms provided by the Division no later than January 31 annually. Reports submitted by Provisional Wildlife Rehabilitators shall be approved and signed by the <b>sponsor</b> prior to submittal. <b>#1402(B)</b></p>	<p>Previously no requirement to co-sign.</p>
	<p>Provisional Wildlife Rehabilitators shall submit to the Division an annual update of Learning Plan progress, which shall be approved and signed by the <b>sponsor</b>, no later than January 31 annually. <b>#1402(C)</b></p>	<p>No formal Learning Plan previously required.</p>
<p>Applications for license renewal shall include certification by the license holder, and the <b>sponsor</b> in the case of renewal applications for Provisional Wildlife Rehabilitators, that they remain in compliance with the provisions of this chapter and all other applicable statutes and regulations. <b>#1403(B)</b></p>	<p>Previously no requirement to co-sign.</p>	

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**(4.) Volunteers involved in transport and release of wildlife (effective 5-1-2009)**

<p>The regulations now allow volunteers to transport wildlife under the specific, written direction of a fully licensed wildlife rehabilitator for the purposes listed, with an 18-hour time limit. The 18 hours is intended to ensure adequate time to obtain the wildlife from the rehabilitator and transport it for care or release, taking into consideration the optimal release time, and the geography and distances common to Colorado.</p>	<p>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. <b>#1401(A)(7)</b></p>	<p>Volunteers previously had to apply for and obtain a Provisional license that authorized temporary possession.</p>
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**(5.) License applicants must declare previous wildlife violations (effective 5-1-2009)**

<p>Applicants for rehabilitation licenses are now required to declare any prior animal welfare or wildlife violations and any prior suspension or revocation of rehabilitation licenses when they apply, and to certify during the annual renewal process that they remain in compliance with the chapter and to declare any new violations of such laws. New or renewal licenses may be denied based on the circumstances of these violations, and will be evaluated on a case-by-case basis.</p>	<p>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. <b>#1401(A)(2)(a)(2) and #1401(A)(2)(b)(2)</b></p>	<p>No declaration previously required.</p>
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**Previous  
provision**

**Background**

**New provision**

**(6.) New administrative compliance and suspension/revocation process (effective 5-1-2009)**

<p>These regulations establish an administrative compliance and suspension/revocation process which can be used in place of criminal prosecution. Upon discovery of a regulatory violation, the Division must provide written notification to the rehabilitator along with an opportunity to come into compliance. Failure to comply then results in a hearing after which a license may be suspended or revoked. The regulation also allows for immediate suspension/revocation with a later hearing when necessary to protect public health, safety or welfare. A prohibition against the acceptance of additional wildlife is applied whenever a notice of violation has been provided and during suspension/revocation proceedings. This strengthens current regulation which allows for a sponsor or Division to require transfer of wildlife when necessary for the health of the animals but did not prohibit acquisition of new animals while the regulatory problem was being resolved.</p>	<p>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. <b>#1401(A)(5)</b></p>	<p>Decriminalizes the enforcement process and allows for for more immediate enforcement action when necessary, but also preserves due process for the license holder.</p>
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**(7.) Clarifies annual reporting requirements (effective 5-1-2009)**

<p>To address a lack of information on annual reports submitted by rehabilitators, the regulations are clarified and strengthened to ensure that the source of wildlife and exact release site are known and applicable disposition/release regulations are followed, including clear identification of animals being held over from one year to the next.</p>	<p>All license holders shall keep current and complete written records of all wildlife currently possessed, rehabilitated and released, euthanized or which died while in their possession, or transferred to another person authorized by the Division to possess wildlife, containing the following information: <b>1.</b> Species, sex, length and type of treatment, and source of wildlife (address/location to the greatest extent known, including map coordinates, if possible). <b>2.</b> Reason animal was taken in for rehabilitation, date received, and attending veterinarian if applicable. <b>3.</b> Disposition, disposition location (address/location to the greatest extent known, including map coordinates, if possible) and disposition date, and a written explanation if wildlife is released beyond ten miles from its place of origin, including the name of the Division employee authorizing the release location and the date such authorization was given. <b>4.</b> All animals carried over from the prior year, including a written explanation for why each animal was carried over. <b>#1402(A)(1-4)</b></p>	<p>Clarifies existing regulations and reporting requirements.</p>
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**(8.) Out of state experience may be considered on a case by case basis (effective 5-1-2009)**

<p>In the past, rehabilitators who were licensed in another state and then move to Colorado were required to start out as a provisional licensee and complete the full process before becoming wildlife rehabilitators. In recognition of the experience rehabilitators can gain outside of Colorado, the regulations provide the option for the Division to accept licensing in another state on a year-for-year basis without starting as a provisional, provided that experience is determined by the Division to be equivalent. Equivalency at a minimum includes the same species, level of licensing, and experience requirement. This same option can be applied to the requirement for three years of full licensing prior to becoming a sponsor, and is intended to allow fully trained rehabilitators to perform at their full capability without repeating remedial training.</p>	<p>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. <b>The Division may accept documented, licensed, equivalent (species and license type) wildlife rehabilitation experience for this requirement.</b> <b>#1401(A)(2)(b)(12)</b></p>	<p>Previous or out of state experience was not considered in meeting the experience requirement.</p>
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Background	New provision	Previous provision
<b>(9.) Unlicensed individuals assisting in direct animal care (effective 7-1-2009)</b>		
<p>It is expected that the licensed wildlife rehabilitator will provide the primary direction and supervision for the care of animals held under the authority of their license, as well as primary direction and supervision for volunteers approved by them. It is not the intent of these regulations to allow day-to-day operations to be performed by unlicensed individuals and/or Provisional Wildlife Rehabilitators without the regular presence and direction of a fully-licensed Wildlife Rehabilitator. Unlicensed individuals must also receive training and are not allowed to perform certain tasks.</p>	<p>Fully-licensed may still use unlicensed individuals (volunteers, interns, or paid staff) under their supervision at Division approved facilities. Except as noted below, the Wildlife Rehabilitator must provide direct (on-site) supervision. <b>#1401(A)(6)(a)</b></p> <p>An unlicensed individual may assist with direct animal care only after having been added to the approved list maintained by the Wildlife Rehabilitator, and after having been trained by the Wildlife Rehabilitator on a minimum set of topics specified in regulation and on the specifically assigned animal care tasks. <b>#1401(A)(6)(b)(1)</b></p> <p>An unlicensed individual is not allowed to supervise any other unlicensed individual. <b>#1401(A)(6)(b)(2)</b></p> <p>An unlicensed individual is not allowed to provide medical care or euthanasia, except in emergency situations when directed by a Wildlife Rehabilitator or veterinarian. <b>#1401(A)(6)(b)(3)</b></p> <p>An unlicensed individual is not allowed to provide care for any skunk or bat. <b>#1401(A)(6)(b)(4)</b></p>	<p>Fully-licensed Wildlife Rehabilitators could use unlicensed individuals at their facilities. No prior training of these individuals was required in regulations.</p>
<p>Qualified Provisional Wildlife Rehabilitators who have completed applicable training requirements can provide on-site supervision for unlicensed individuals. Their supervision authority is limited to direct, on-site supervision, only in qualified areas, and only when approved by their sponsor.</p>	<p>A Provisional Wildlife Rehabilitator shall only provide direct (on-site) supervision of unlicensed individuals only after the sponsor approves such supervision in writing. <b>#1401(A)(6)(c)(1)</b></p> <p>A Provisional Wildlife Rehabilitator shall only provide direct (on-site) supervision of unlicensed individuals only after the Provisional has completed those portions of the Learning Plan relevant to the animal care activity, as well trained on the minimum set of topics as specified in regulation. <b>#1401(A)(6)(c)(2)</b></p>	<p>Previously, Provisional Wildlife Rehabilitators could not supervise or use unlicensed individuals to assist with animal care.</p>
<p>Under specific parameters, unlicensed individuals may work without a wildlife rehabilitator being physically present at the facility. These regulations provide the framework for such cases so long as animal care remains at an acceptable level. The Division expects that licensed wildlife rehabilitators will be on site at their facility at least some portion of every day that the facility is providing care for wildlife, except in infrequent cases when the wildlife rehabilitator may authorize a fully-licensed Wildlife Rehabilitator to act in their stead.</p>	<p>Qualified and approved unlicensed individuals may work without direct (on-site) supervision for short periods of time provided that (1.) written protocols for the animal care activity are available on site; (2.) the Wildlife Rehabilitator is reachable by telephone; (3.) or if unreachable by telephone, another Wildlife Rehabilitator has been designated and available to act as an alternate. <b>#1401(A)(6)(d)</b></p>	<p>The previous language was somewhat unclear as to whether the supervising Wildlife Rehabilitator had to be onsite at all times, and was inconsistently interpreted around the state.</p>

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Background	New provision	Previous provision
<b>(9.) Unlicensed individuals assisting in direct animal care (effective 7-1-2009) -- continued</b>		
Annual reporting of use of unlicensed individuals is now required and expanded.	Annual report is now required that specifies, for all unlicensed individuals used throughout the year, the following information: (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; and (5.) Type of care provided. <b>#1401(A)(6)(e)(1-5)</b>	Previously only required name, address, phone number and dates worked for all unlicensed individuals. Additionally, records were kept on site and not submitted annually.
The Division may further restrict the use of unlicensed individuals in order to ensure proper care for wildlife or regulation compliance.	In the event of noncompliance or substandard animal care, the Division reserves the right to further restrict the use of unlicensed individuals in order to ensure proper care for wildlife. <b>#1401(A)(6)(f)</b>	(New provision)
The fully-licensed Wildlife Rehabilitator remains responsible for the wildlife rehabilitation activities performed under the authority granted by their license, whether they are provided personally, or unlicensed individuals under their direction, and that acceptable animal care remains a condition of their license.	The fully-licensed Wildlife Rehabilitator remains responsible for the wildlife rehabilitation activities performed, including any violations, under the authority granted by their license, whether they are provided personally, or unlicensed individuals under their direction, and that acceptable animal care remains a condition of their license. <b>#1401(A)(6)(g)</b>	(New provision)

Please direct any questions to the CDOW Special Licensing Unit at 303-291-7143.