15A NCAC 10H .1402 CAPTIVITY LICENSE FOR REHABILITATION

(a) A captivity license for rehabilitation authorizes the lawful possession of injured, crippled, or orphaned native wild animals or wild birds for the purpose of providing short term care and eventual release into the animal's natural habitat. Possession of endangered, threatened, or special concern species specified in Rules 10I .0103 through .0105 of this Chapter also requires an endangered species permit from the Commission.

(b) A captivity license for rehabilitation shall not be issued for:

(1) domestic animals;
(2) feral swine;
(3) nutria;
(4) coyote;
(5) adult black bear;
(6) adult white-tailed deer:
(7) elk; or
(8) eggs of upland game birds.

(c) A captivity license for rehabilitation shall not be issued for the purpose of holding wild animals or wild birds:

(1) as pets;
(2) for education, exhibition, or scientific purposes;
(3) for dog training;
(4) for hunting; or
(5) acquired unlawfully.

(d) Individuals who do not possess a captivity license for rehabilitation may take temporary possession of injured, crippled, or orphaned wild animals or wild birds, except rabies species and black bear cubs, provided they are surrendered to a North Carolina licensed veterinarian or an individual licensed under this Rule within 24 hours of taking possession of such animals.

(e) North Carolina licensed veterinarians providing medical care to sick, injured, or crippled wild animals or wild birds are not required to have a license for rehabilitation from the Commission. North Carolina licensed veterinarians without a captivity license for rehabilitation may treat wild animals or wild birds until the animal is medically stable. Once medically stable, the wild animal or wild bird shall be transferred to an individual with a valid captivity license for rehabilitation with the appropriate category for the given species.

(f) Apprenticeship. Individuals shall designate a rehabilitation mentor with a valid captivity license for rehabilitation in North Carolina on their application for a captivity license for rehabilitation and submit the Wildlife Rehabilitation Mentor Apprentice Agreement Form described in Rule .1406 of this Section. The following conditions apply to apprentices:

(1) An apprentice may possess at their own facility squirrels, rabbits, opossums, and chipmunks approved by their mentor if the mentor is authorized to rehabilitate small mammals.
(2) An apprentice shall keep records of small mammals at their facility. Records shall contain the following information:
    (A) species;
    (B) quantity;
    (C) date acquired; and
    (D) final disposition and date.

To remove the apprentice conditions from a captivity license for rehabilitation, an apprentice shall complete 12 months of supervised rehabilitation activities under a licensed rehabilitator and submit a completed Wildlife Rehabilitation Apprentice Upgrade Form described in Rule .1406 of this Section.

(g) Mentorship. Individuals who have held a valid captivity license for rehabilitation in North Carolina for two years may serve as a rehabilitation mentor to apprentices. Mentors shall:

(1) have no convictions for violations of the Rules of this Section in the previous three years; and
(2) keep records of the small mammals assigned to their apprentices for rehabilitation, if applicable. Records shall contain the following information:
    (A) species;
    (B) quantity;
    (D) date acquired; and
    (C) final disposition and date.

(h) Individuals seeking to rehabilitate migratory birds shall provide proof of a valid and concurrent U.S. Fish and Wildlife Service Federal Migratory Bird Rehabilitation permit for each category of migratory birds to be rehabilitated.

(i) Required facilities.

(1) Individuals with a captivity license for rehabilitation shall conduct their rehabilitation activities at the facility designated on their license that meets the minimum standards set forth in the "Miller, E.A. 2000. Minimum Standards for Wildlife Rehabilitation, 3rd edition. National Wildlife Rehabilitators Association, St. Cloud, MN. 116 pages. ISBN 1-931439-00-1." This publication is hereby incorporated by reference, excluding subsequent amendments and editions, and is available free of charge at www.ncwildlife.gov.

(2) Wild animals and wild birds undergoing rehabilitation shall be separated from pets, domestic animals, livestock, and non-native animals.

(3) Wild animals shall be kept in separate enclosures by species.

(4) Rehabilitation in a residence shall have designated, separate rooms used only for housing, treatment, and rehabilitation.

(5) Handling of wild animals and wild birds shall be for treatment only.

(j) Release of rehabilitated wild animals and wild birds.

(1) Wild animals and wild birds showing symptoms of or believed to be infected with a zoonotic disease shall be euthanized or treated prior to release.

(2) Rehabilitated wild animals and wild birds shall be released when the animal can be expected to survive in the wild or has attained full recovery from illness or injury.

(3) Wild animals and wild birds may remain in a rehabilitation facility for 180 days. If a longer rehabilitation period is needed, the license holder shall notify the Commission in writing. The Commission shall consider extended rehabilitation on a case-by-case basis by evaluation, which may include the nature of the animal's condition and recommended treatment plan.

(4) Wild animals and wild birds shall not be released on the property of another unless the rehabilitator has written permission dated within the last 12 months from the landowner.

(k) Transfer of Animals.

(1) Wild animals originating outside the State shall not be accepted for the purpose of rehabilitation unless written authorization is obtained from the Commission.

(2) Wild animals received for rehabilitation shall not be exported outside the State for the purpose of rehabilitation or release unless written authorization is obtained from both the Commission and the state where the wild animal will be exported to or released from.

(3) Wild animals and wild birds being held under a captivity license for rehabilitation shall not be sold.

(4) Wild animals and wild birds may be transferred to another individual who possesses a valid captivity license for rehabilitation with the appropriate category for the given species.

(5) Wild animals and wild birds that are unfit for release shall be humanely euthanized, except that the Commission may consider transfer of wild animals and wild birds upon written request from the rehabilitator. The wild animal or wild bird unfit for release may be transferred to an individual or facility with a valid captivity license for holding as set forth in Rule .1403 of this Section after written authorization is obtained from the Commission.

(l) White-tailed Deer Fawns.

(1) Only individuals holding a captivity license for rehabilitation with the white-tailed deer fawn category may possess and rehabilitate white-tailed deer fawns.

(2) White-tailed deer fawns shall not be possessed until the applicant has constructed or acquired an enclosure for keeping fawns that complies with the standards set forth in Paragraph (i) of this Rule, and the facility has been verified by a representative of the Commission.

(3) White-tailed deer fawns held for more than 48 hours shall be permanently tagged using Commission-provided tags.

(4) Orphaned white-tailed deer fawns shall be held no longer than 90 days. Injured white-tailed deer fawns shall be held no longer than 180 days. No white-tailed deer fawns shall be possessed after December 31. Upon written request from the rehabilitator, the Commission may consider extended rehabilitation depending on the likelihood of rehabilitation success as determined by the Commission.

(5) Records of white-tailed deer fawn rehabilitation shall be submitted to the Commission on the Annual White-tailed Deer Fawn Rehabilitation Activity Form specified in Rule .1406 of this Section within 15 days of license expiration.

(6) White-tailed deer fawns shall not be rehabilitated on properties licensed for farmed cervids.

(m) Black Bear Cubs.

(1) Only individuals under a signed cooperative agreement with the Commission to meet conservation objectives shall be authorized to rehabilitate black bear cubs.

(2) Individuals in a cooperative agreement with the Commission shall obtain a captivity license for rehabilitation with the black bear cub category.

(3) No black bear cub shall be possessed until the applicant has constructed or acquired an enclosure for keeping black bear cubs that complies with the standards set forth in Paragraph (i) of this Rule, and the facility has been verified by a representative of the Commission.

(n) Rabies Species.

(1) Only individuals holding a captivity license for rehabilitation with the rabies species category may rehabilitate rabies species. In addition to the general captivity license for rehabilitation requirements, individuals requesting to rehabilitate rabies species shall:

(A) have held an active rehabilitation license within or outside of the State for the previous three years and have rehabilitated wild animals during that time;

(B) certify 12 hours of rabies or rabies species-specific training, or a combination thereof, for their initial application;

(C) certify up-to-date rabies pre-exposure prophylaxis in accordance with current Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention at www.CDC.gov for themselves, staff members, and volunteers who may contact rabies species;

(D) provide the name and contact information of a North Carolina licensed veterinarian with whom the rehabilitator has consulted and who agrees to provide necessary medical treatment to the rabies species;

(E) certify notification to the appropriate animal control authority and local health department prior to making application to the Commission, to inform them of their anticipated activities and location, and to coordinate future rabies testing activities;

(F) have separate enclosures from non-rabies species adequate for the species being rehabilitated, that are locked to prevent egress of the animal, and ingress of other wild mammals; and

(G) have a secondary barrier surrounding the rabies species enclosure that restricts contact with people other than those identified in Part (n)(2)(A) of this Rule, pets, and livestock.

(2) The following information shall be posted at the license holder's facility and be provided, upon request, by an authorized representative of the Commission:

(A) proof of immunization or titer checks for individuals who have contact with rabies species;

(B) contact information for the veterinarian who agrees to provide medical treatment to the rabies species;

(C) contact information for the local animal control authority and local health department; and

(D) a written protocol for euthanasia and rabies testing.

(3) Except for bats, rehabilitation and release of rabies species is not authorized in counties where the United States Department of Agriculture-Animal and Plant Health Inspection Service Oral Rabies Vaccination (ORV) program is conducted, as specified by the United States Department of Agriculture-Animal and Plant Health Inspection Service at www.aphis.usda.gov.

(4) Except as otherwise specified in this Section, rabies species shall not be removed from their containment except for treatment, release, maintenance of the enclosure, or euthanasia.

(5) Rehabilitated rabies species shall be released in the county where they were rehabilitated or the county where they were found.

(6) All rabies species shall be considered potentially infected with the rabies virus. If a human or domestic animal has been scratched, bitten, or exposed to saliva, the fluid that surrounds the brain and spinal cord, or brain or spinal cord material from a rabies species, the license holder shall contact the local health department immediately to report the incident. Rehabilitators shall abide by requests from public health department personnel, animal control, and Commission personnel regarding disposition of the animal. Rabies species that have scratched or bitten a human or domestic animal or die in captivity shall not be released or disposed of until the local health department investigates the situation to determine if testing is necessary. Positive rabies test

results shall be reported to the Commission within five business days of receipt from the health department.

(7) Records of rabies species rehabilitation shall be submitted to the Commission on the Annual Rabies Vector Species Rehabilitation Activity Report specified in Rule .1406 of this Section within 15 days of license expiration.

History Note: *Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-274;*
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