Legislative Overview

Rabies

Health Protection and Promotion Act (Ontario)
Health of Animals Act (Canada)

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Purpose

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

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

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

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

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

Relevance to Veterinary Practice

The HPPA contains two regulations that apply to veterinary medicine. Regulation 567 Rabies Immunization provides direction to veterinarians who carry out rabies immunizations. Regulation 557 Communicable Diseases – General sets out expectations for veterinarians regarding reporting animal bites and the management of animals suspected of having rabies. These regulations complement the requirements set out under Regulation 1093 of the Veterinarians Act.

Under Regulation 567, the following expectations are described:

- Immunizations must be carried out with a rabies vaccine licensed for use in Canada and following the manufacturer’s instructions;
- The veterinarian must issue a Certificate of Immunization to the owner/custodian of the animal that has been immunized or re-immunized against rabies;
- The Certificate of Immunization must include: the name and contact information of the owner/custodian, a description of the animal (species, breed, sex, age and markings), the name and serial number of the vaccine, the date of immunization, the date the animal is to be re-immunized and the rabies identification tag number;
- The veterinarian must retain a scanned or paper copy of the original signed Certificate of Immunization for three years;
- If the veterinarian is of the opinion that the animal is in or has a physical condition that precludes its safe immunization or re-immunization against rabies, the veterinarian will issue a Statement of Exemption describing the physical condition of the animal on request and when justifiable.

Under Regulation 557, the following expectations are described:

- A veterinarian must report to the local Medical Officer of Health, immediately, any knowledge of an animal bite or contact that may result in rabies in persons;
- A veterinarian must comply with a request from a Medical Officer of Health to examine a dog or cat for evidence of rabies and to detain the animal, if necessary, to determine if it remains free of symptoms of rabies. The Medical Officer of Health may also request that a veterinarian confine and isolate an animal at a veterinary hospital for at least 10 days.
Frequently Asked Questions

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

Frequently Asked Questions – Biting Incidents and Reporting

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

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

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

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

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

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

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

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

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

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

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

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

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

**Frequently Asked Questions – Administration of Vaccines**

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

Although the *HPPA* requires that immunizations are carried out by veterinarians, Regulation 1093, s 19(4) allows for immunizations to be delegated in an accredited facility to staff who are competent to perform the immunization. Immunizations carried out in an unaccredited facility must be carried out by a veterinarian.
**When should a domestic animal not be vaccinated?**

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

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

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

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

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

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

**Frequently Asked Questions – Records**

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

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

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

The Certificate of Immunization may serve as the record if all of the information required under both Regulation 567 and Regulation 1093 is included.
**What is the procedure for replacing a lost Certificate of Immunization?**
Regulation 567 requires a veterinarian to retain a copy of the original signed Certificate of Immunization. A veterinarian should retain a paper copy or scanned electronic version of the original in order to provide a true copy of the certificate when asked to provide a replacement certificate. New certificates should not be issued.

**Frequently Asked Questions – Other Issues**

**What animals must be vaccinated in Ontario?**
Under Regulation 567, all dogs and cats over 3 months of age in Public Health Units listed in Table 1 must be vaccinated. Table 2 of the regulation identifies the Public health Units in which horses, cattle and sheep that may have contact with any person other than their owners or caretakers must be vaccinated. The owner/custodian of an animal required to be vaccinated against rabies as listed in the regulation must have either a current Certificate of Vaccination or a current Statement of Exemption issued by a veterinarian for that animal.

The requirement to vaccinate a horse, cow, bull, calf or sheep listed in Table 2 of Regulation 567 does not apply if the animal(s) is accessible only to the person(s) who are responsible for the care and control of the animal(s).

**Does the Medical Officer of Health have the authority to require a veterinary hospital to confine a cat or dog suspected of rabies?**
Yes. Under Regulation 557 the Medical Officer of Health has the authority to require a veterinary hospital to confine a cat or dog for at least 10 days when the animal exhibits symptoms of any disease or in his/her opinion the owner/custodian is unlikely to confine the animal.

**How is a veterinarian or veterinary facility compensated when the Medical Officer of Health orders an animal to be examined, confined or isolated or destroyed?**
Regulation 557 directs the municipality in which the owner/custodian of the animal resides to compensate a veterinarian for the costs of veterinary services ordered by a Medical Officer of Health.

**Legislative Authority**

*Health Protection and Promotion Act, R.S.O. 1990, c H.7, s 96(4)(f)*
*R.R.O. 1990,  Reg 557, s 2, s 3(1-5) (Health Protection and Promotion Act)*
*R.R.O. 1990,  Reg 567, s 4-8 (Health Protection and Promotion Act)*
*C.R.C., c 296, SRO/91-525, Health of Animals Regulations, s 134.2(1) [Health of Animals Act, (Canada)]*
Resources

The following can be found on the College’s website at www.cvo.org
Sample Certificate of Rabies Vaccination
Sample Statement of Exemption from Rabies Vaccination

For Additional Information

For Matters Related to Human Exposure to a Potentially Rabid Animal:
   Dr. Catherine Filejski, Veterinary Consultant, Public Health, Ministry of Health and Long Term Care
   Telephone: 416-212-0424   Email: Catherine.Filejski@ontario.ca

For Matters related to Domestic Animal Exposure to a Potentially Rabid Animal, with NO Human Exposure:
   Dr. Maureen Anderson, Lead Veterinarian, Animal Health and Welfare, Ontario Ministry of Agriculture and Food
   Telephone: 519-826-3571   Email: maureen.c.e.anderson@ontario.ca

Agricultural Information Contact Centre, Ontario Ministry of Agriculture and Food (24/7 access to the on-call veterinarian)
   Telephone: 1-877-424-1300

Animal Health Lab, University of Guelph
   Telephone: 519-824-4120   Website: http://www.guelphlabservices.com/ahl/

Local Public Health Units

College publications contain practice parameters and standards which should be considered by all Ontario veterinarians in the care of their patients and in the practice of the profession. College publications are developed in consultation with the profession and describe current professional expectations. It is important to note that these College publications may be used by the College or other bodies in determining whether appropriate standards of practice and professional responsibilities have been maintained. The College encourages you to refer to the website (www.cvo.org) to ensure you are referring to the most recent version of any document.