

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1700 Session of 1983

INTRODUCED BY PUNT, COY, MORRIS, DIETZ, GEIST, NOYE, BOWSER, PETRARCA, HALUSKA, BROUJOS, SEMMEL, DEAL, KOSINSKI, ITKIN, FISCHER, ARTY, COLAFELLA, JOHNSON, DeLUCA, ZWIKL, KASUNIC, BOOK, MADIGAN AND STAIRS, NOVEMBER 15, 1983

AS REPORTED FROM COMMITTEE ON HEALTH AND WELFARE, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 2, 1984

AN ACT

1 Providing for the control of rabies; granting powers and
2 imposing duties on the Department of Health; requiring rabies
3 vaccinations; providing for preexposure immunization;
4 imposing a penalty; and making a repeal.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Rabies Law.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "AREA OF RISK." THE AMOUNT OF LAND ENCOMPASSED WITHIN SUCH <—
14 GEOGRAPHIC BOUNDARIES THAT ARE FIXED BY THE DEPARTMENT WHERE THE
15 OCCURRENCES OF RABIES POSE A GRAVE HEALTH RISK TO HUMAN OR
16 ANIMAL POPULATION.

17 "Department." The Department of Health.

1 "Rabies." In man and animal, hydrophobia, an acute viral
2 disease of the central nervous system usually transmitted to man
3 through the injection of saliva by an animal bite.

4 "RABIES EMERGENCY." THE DECLARATION BY THE SECRETARY THAT AN <—
5 AREA OF RISK EXISTS WITHIN THE COMMONWEALTH AND THAT SUCH ACTION
6 AS DETERMINED BY THE DEPARTMENT SHALL BE IMPLEMENTED UNTIL THE
7 SECRETARY RESCINDS THE DECLARATION.

8 "SECRETARY." THE SECRETARY OF THE DEPARTMENT OF HEALTH.

9 Section 3. Statewide system for rabies control and treatment.

10 The department shall provide for a Statewide system for the
11 ~~general control of rabies, the treatment of persons exposed or~~ <—
12 ~~suspected to have been exposed to rabies~~ and the distribution of
13 biological products necessary for the prevention and treatment
14 of rabies IN THOSE AREAS OF RISK DESIGNATED BY THE SECRETARY IN <—
15 THE DECLARATION OF A RABIES EMERGENCY.

16 ~~Section 4. Immunization and treatment.~~ <—

17 ~~The department shall provide preexposure immunization,~~
18 ~~without charge, to any person determined by it to have a high~~
19 ~~risk of exposure to rabies infection. The department shall also~~
20 ~~bear the cost of the rabies treatment for any bite victim who~~
21 ~~requires this treatment, but is unable to pay the usual charges.~~

22 ~~Section 5. Report of possible infection; penalty.~~

23 ~~(a) Report required. In any county where any dog, cat or~~
24 ~~other warm blooded animal subject to rabies has bitten,~~
25 ~~scratched or exposed any person to a possible rabies infection,~~
26 ~~or when any animal is suspected of having rabies, it shall be~~
27 ~~the duty of any person having knowledge of these facts to report~~
28 ~~them immediately by telephone or in person to the local police~~
29 ~~department. Upon receipt of this report, the police personnel~~
30 ~~shall notify the local health officer and shall enforce all~~

1 ~~orders of the local health officer and regulations promulgated~~
2 ~~under this act.~~

3 ~~(b) Testing and quarantine. All testing, quarantine and~~

4 SECTION 4. POWERS AND DUTIES OF DEPARTMENT. <—

5 THE DEPARTMENT SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

6 (1) MONITOR IN COOPERATION WITH THE DEPARTMENT OF
7 AGRICULTURE AND THE PENNSYLVANIA GAME COMMISSION THE
8 CONFIRMED INCIDENCES OF RABIES IN BOTH DOMESTIC AND WILD
9 ANIMALS.

10 (2) DETERMINE, BASED ON THE NUMBER OF CONFIRMED CASES,
11 THE NUMBER OF PROJECTED INCIDENCES, THE PROBABILITY OF HUMAN
12 CONTACT AND THE RAPIDITY OF THE SPREAD OF THE RABIES, WHERE A
13 PUBLIC HEALTH RISK MAY EXIST.

14 (3) DECLARE RABIES EMERGENCIES AND DESIGNATE
15 CORRESPONDING AREAS OF RISK AFTER NOTIFICATION OF THE
16 COUNTIES INVOLVED.

17 (4) IN AREAS OF RISK, INSTITUTE AN INTENSIVE PUBLIC
18 EDUCATION CAMPAIGN ON RABIES THROUGH NEWSPAPERS, RADIO AND
19 TELEVISION ANNOUNCEMENTS.

20 (5) IMPLEMENT THE PROVISIONS OF SECTIONS 5, 6, 7 AND 8.

21 (6) PROMULGATE SUCH RULES AND REGULATIONS AS ARE
22 NECESSARY TO IMPLEMENT AND ADMINISTER THE PROVISIONS OF THIS
23 ACT.

24 SECTION 5. TESTING.

25 ALL TESTING AND other necessary or appropriate rabies control
26 procedures appropriate to protect human life and safety shall be
27 in accordance with the rules and regulations adopted by the
28 department.

29 ~~(c) Penalty. Any person refusing or failing to comply with~~ <—
30 ~~the provisions of this section or with the orders or directives~~

1 ~~of the county health officer commits a misdemeanor and shall,~~
2 ~~upon conviction, be sentenced to pay a fine of not more than~~
3 ~~\$500 for each offense.~~

4 Section 6. Vaccination ~~of dog~~ required; certificate. <—

5 (a) Requirement.--Every person LIVING IN AN AREA OF RISK <—
6 owning or keeping a dog OR CAT over four months of age ~~in this~~ <—
7 ~~Commonwealth~~ shall cause that dog OR CAT to be vaccinated <—
8 against rabies. ~~On or before January 1 of each year, every~~ <—
9 ~~person owning or keeping a dog in this Commonwealth shall~~
10 ~~present to the county treasurer proof acceptable to the~~
11 ~~department that the dog has been adequately vaccinated against~~
12 ~~rabies.~~ The Commonwealth shall recognize the three-year rabies
13 vaccine AS VALID. ~~The county treasurer shall not license any dog~~ <—
14 ~~without proof of vaccination.~~

15 (b) Certificate of vaccination.--Every licensed veterinarian
16 who vaccinates a dog or cat against rabies shall issue a
17 vaccination certificate to the owner. Information contained in
18 rabies vaccination records shall not be used for the purpose of
19 licensing animals or for taxation of individuals for owning
20 animals. The department shall prepare a standard vaccination
21 certificate for this purpose and shall provide certificates free
22 of charge to licensed veterinarians for their use. For the
23 purposes of this section, each licensed veterinarian may select
24 a vaccine of his choice and use the procedures for administering
25 it as are consistent with the recommendations of the Federal
26 agency which licenses the vaccine.

27 (C) ENFORCEMENT.--IN AREAS OF RISK IT SHALL BE THE DUTY OF <—
28 EVERY POLICE OFFICER OR STATE DOG OFFICER TO ISSUE A CITATION TO
29 EVERY PERSON WHO OWNS A DOG OR CAT WHICH IS NOT VACCINATED
30 PURSUANT TO SUBSECTION (A). IN ADDITION EVERY UNVACCINATED CAT

1 SHALL BE SEIZED BY THE POLICE OFFICER OR DOG OFFICER AND HELD IN
2 QUARANTINE.

3 Section 7. Antirabies clinics.

4 In AREAS OF RISK AND IN conjunction with the respective <—
5 county health departments, the department shall provide for the
6 establishment of low-cost, self-financing antirabies clinics in
7 each county. These clinics shall be offered ~~annually prior to~~ <—
8 ~~each July 1~~ at locations and on dates as the department and the
9 respective county health departments shall determine. The public
10 health veterinarian OF THE DEPARTMENT OF AGRICULTURE shall <—
11 establish vaccination procedures to be used at the clinics. The
12 ~~county~~ health department may charge such fees as may be required <—
13 to cover its costs for material and service provided. IN <—
14 ESTABLISHING ANTIRABIES CLINICS, THE DEPARTMENT SHALL COOPERATE
15 WITH LOCAL VETERINARIANS AND OTHER LOCAL ORGANIZATIONS. THE
16 DEPARTMENT SHALL PURCHASE AND SUPPLY, AT COST, THE NECESSARY
17 QUANTITIES OF VACCINE AT EACH ESTABLISHED ANTIRABIES CLINIC.

18 ~~Section 8. Rules and regulations.~~ <—

19 ~~The department shall promulgate rules and regulations to~~
20 ~~carry out the provisions of this act.~~

21 SECTION 8. PENALTY. <—

22 ANY PERSON WHO VIOLATES ANY PROVISION OF THIS ACT COMMITS A
23 MISDEMEANOR AND SHALL BE SENTENCED TO PAY A FINE NOT TO EXCEED
24 \$300 FOR EACH VIOLATION. EACH DAY OF VIOLATION SHALL CONSTITUTE
25 A SEPARATE OFFENSE.

26 Section 9. General repealer.

27 All acts and parts of acts are repealed insofar as they are
28 inconsistent with this act.

29 Section 10. Effective date.

30 This act shall take effect in 60 days.