

DOG, CAT AND WOLF-HYBRID SPAYING AND NEUTERING PROGRAM AND FUND

(Promulgated under authority of VSA T20 Chapter 193 Subchapter 6 Section 3817)

PART 1 – PURPOSE

SECTION 1.1 PURPOSE. These rules implement the Dog, Cat and Wolf-Hybrid Spaying and Neutering Program of the Agency of Agriculture, Food and Markets, pursuant to Title 20 VSA Chapter 193 Subchapter 6. The purpose of this program is to encourage permanent sexual sterilization of dogs, cats and wolf-hybrids in order to reduce the population of unwanted companion animals and protect public health and safety.

PART 2 - APPLICABILITY

SECTION 2.1 - APPLICABILITY. This program shall apply to any resident of the State of Vermont who owns a dog, cat or wolf-hybrid and is participating or is eligible to participate in one of the following public assistance programs, in accordance with Title 20 VSA Chapter 193 Subchapter 6:

- (a) Social Welfare – ANFC (aid to needy families with children);
- (b) The Food Stamp Program;
- (c) Women, Infants and Children Program (WIC);
- (d) Reach Up – Education and Job Training;
- (e) General Assistance/Relief;
- (f) AABD/EP – Financial Support for Spouses/Caregiver
- (g) Medicaid
- (h) Fuel Assistance – Heating Costs
- (i) Section 8 – Rental Assistance
- (j) SSI – Supplemental Security Income

PART 3 – DEFINITIONS OF TERMS

SECTION 3.1- DEFINITIONS

(a) "Administrator" means the administrator of the dog, cat and wolf-hybrid spaying and neutering program who is designated by and who provides services through a contract with the Secretary of the Agency of Agriculture, Food and Markets.

(b) "Agency" means the Agency of Agriculture, Food and Markets.

(c) "Companion Animal" means a dog, cat, or wolf-hybrid **owned by a Vermont resident.**

(d) "Filing" means signing, dating and sending a document by first class mail.

(e) "Participating veterinarian" means a veterinarian who has filed the veterinarian's agreement to participate with the administrator.

(f) "Payee" means a participating veterinarian or the participating veterinarian's clinic.

(g) "Pet Owner" means a **Vermont resident who owns** a companion animal.

(h) "Pre-surgical immunization" means immunization of dogs and wolf-hybrids against rabies, distemper, hepatitis, leptospirosis, and parvovirus; and cats against rabies, feline panleukopenia, calici, pneumonitis, and rhinotracheitis.

(i) "Program and/or Animal Population Control Program" means the dog, cat and wolf-hybrid spaying and neutering program, where a resident of the state is participating in or eligible to participate in the program listed in Part 2, with a co-payment of \$25

(j) "Sterilization" means neutering, including examination, surgery, maintenance, discharge and removal of sutures.

(k) "Veterinarian" means a veterinarian with a valid license to practice veterinary medicine in the state of Vermont.

PART 4 -ELIGIBILITY STANDARDS

SECTION 4.1- ELIGIBILITY FOR PEOPLE TO PARTICIPATE IN PROGRAM.

(a) Only those **pet owners** who own a dog, cat or wolf-hybrid and who receive any of the benefits, or are eligible to receive such benefits under the programs or acts listed in Part 2 of this rule, shall be eligible as a pet owner for participation in the program.

(b) The pet owner who applies for the program shall provide the administrator of the dog, cat and wolf-hybrid spaying and neutering program with verification of the pet owner's eligibility to receive the public benefits specified in Part 2.

(c) Acceptable verification provided by the pet owner of eligibility to receive benefits as listed in Part 2 shall consist of official documentation issued by federal or State agencies. Documentation must demonstrate current eligibility status. The pet owner's full name must appear on the document.

PART 5 -FORMS

SECTION 5.1 - VETERINARIAN'S AGREEMENT TO PARTICIPATE AND FEE SCHEDULE.

(a) The "Veterinarian's Agreement to Participate and Fee Schedule" shall be filed annually on January 1st with the administrator by a veterinarian in order for the veterinarian to participate in the Dog, Cat and Wolf-Hybrid Spaying and Neutering Program.

(b) The veterinarian shall provide the following information on the agreement:

- (1) Name of Veterinarian;
- (2) Address;
- (3) Telephone number; and
- (4) Name of facility representative, if different than the veterinarian.

(c) The veterinarian shall provide a fee schedule in the agreement for the following:

(1) For neutering female dogs, the fee for each of the following categories of weights:

- a. Up to 25 lbs.;
- b. 26-50 lbs.;
- c. 51-75 lbs.; and
- d. Over 75 lbs.;

(2) The fee for neutering female cats at any weight;

(3) For neutering male dogs, the fee for each of the following categories of weights:

- a. Up to 25 lbs.;
- b. 26-50 lbs.;
- c. 51-75 lbs.; and
- d. Over 75 lbs.;

(4) The fee for neutering male cats at any weight;

(5) That the fee schedule is accurate as outlined above.

(d) The agreement shall provide:

- (1) That the fees shall remain in effect during the effective dates period;
- (2) That the fees shall be for the entire surgical procedure which includes hospital care, pre-surgical physical exam and removal of sutures;
- (3) That pre surgical and long term pain management are recommended but not covered under the existing program.
- (4) That each pet owner shall pay a \$25 co-pay for each pet sterilized which co-pay shall be retained by the veterinarian and deducted from the total amount to be reimbursed by the agency;
- (5) That the veterinarian shall be reimbursed for pre-surgical immunization, if needed, at the state wide, median amount determined at enrollment and adjusted annually based on the cost of living adjustment.
 - (a) The administrator will determine the reimbursement amount for immunization annually.
 - (b) The amount of reimbursement will be published for veterinarians prior to their enrollment each year.
- (6) That reimbursement to the veterinarian shall be made bi-monthly by the Agency of Agriculture;
- (7) That any fees associated with any surgical complications shall not be subject to reimbursement by the Agency of Agriculture;
- (8) The maximum amount of reimbursement to the veterinarian shall not exceed 20 percent higher than the statewide average procedure fee, as determined annually by the secretary;
 - (a) Fees associated with estrus, or pregnancy, is the responsibility of the owner and not subject to reimbursement;
- (9) That if funds become depleted, the veterinarian shall be notified by the Agency, in advance, and agree to stop performing surgeries under this program;
- (10) To submit to the administrator all "Application and Consent Forms for Spaying and Neutering a Dog, Cat or Wolf-Hybrid" within 10 days of the end of the month in which the spaying/neutering surgery and immunization(s) were performed;
- (11) That the veterinarian shall not be reimbursed by the Agency of Agriculture for surgeries performed on unqualified companion animals.

(f) This Agreement shall also include:

- (1) The names of the veterinarians practicing at the facility and their signatures;
- (2) The name of the facility;
- (3) Vermont license number to practice veterinary medicine;
- (4) Date of agreement; and
- (5) Signature of program administrator.

PART 6 - APPLICATION AND CONSENT FORM FOR NEUTERING A DOG, CAT OR WOLF-HYBRID

SECTION 6.1 – APPLICATION AND CONSENT FORM

(a) The "Application and Consent Form for Spaying and Neutering a Dog, Cat or Wolf-Hybrid" shall be filled out by the pet owner who is receiving or is eligible to receive public assistance under one of the programs listed in Part 2.

(b) After the form is completed, the pet owner shall send the form with proof of eligibility to the administrator of the animal population control program for approval.

(c) The "Application and Consent Form for Spaying and Neutering a Dog, Cat or Wolf-Hybrid" shall contain the following information about the pet owner:

- (1) Name, address, and phone number of pet owner;
- (2) Program under which eligibility is claimed;
- (3) The following regarding each animal:
 - a. Name;
 - b. Species;
 - c. Breed;
 - d. Sex;
 - e. Age;
 - f. Animal weight;
- (4) Signature of **pet** owner and date signed; and
- (5) That the **pet** owner consents to the following:

- a. Rabies and pre-surgical immunization, if required, registration and licensing in the appropriate jurisdiction;
- b. Sterilization of the companion animal described above; and
- c. That the information above is true and correct to the best of the **pet** owner's knowledge

(d) If the administrator finds proof of eligibility in accordance with Part 4 (a), approval shall be granted and the form shall be signed by the administrator and returned to the pet owner.

(e) Upon receipt of the form from the administrator, the pet owner shall submit it with a \$25 co-payment to a participating veterinarian who will perform the sterilization procedure of the companion animal. **The pet** owner is responsible for additional charges incurred by pregnancy or estrus, including pre-surgery blood work and post pain management.

(f) The veterinarian shall fill out the appropriate section of the form and submit it to the administrator within 10 days following the end of the monthly period, in accordance with 5.1 (d) (11).

(g) The "Application and Consent Form for Spaying and Neutering a Dog, Cat or Wolf-Hybrid" shall contain the following information from the participating veterinarian:

- (1) Name of veterinarian, business name, address, telephone number;
- (2) Type of sterilization and date of surgery;
- (3) Rabies and pre-surgical immunization(s) and date, if administered;
- (4) That a \$25 co-payment was received from or on behalf of the pet owner for sterilization;
- (5) Certification that the sterilization and rabies vaccine, if administered, was carried out as recorded; and
- (6) Signature of veterinarian and date.

PART 7 - ADMINISTRATIVE DUTIES AND PROCEDURES

SECTION 7.1 ADMINISTRATOR'S DUTIES

- (a) The Agency of Agriculture, Food and Markets may contract with a qualified individual or organization to administer the animal population control program.
- (b) The administrator shall verify eligibility of pet owners to participate in the program through the procedures specified in Part 4.
- (c) The administrator shall compile all "Application and Consent Forms for Spaying and Neutering a Dog, Cat or Wolf-Hybrid" and utilize such invoices to calculate the total monthly reimbursement amounts for each participating veterinarian.
- (d) The administrator [shall assist the Secretary in determining](#) the statewide average fees for sterilization procedures by adjusting current fees based on the cost of living index.
- (e) **Twice** per month the administrator shall submit the following information to the Agency of Agriculture, Food and Markets, Animal Health Section on forms supplied by the Secretary:

(1) Total number of surgeries performed by each participating veterinarian for the calendar month indicated and year to date totals;

(2) Participating veterinarian's name and address;

(3) Certification that all "Application and Consent Forms for Spaying and Neutering a Dog, Cat or Wolf-Hybrid" are completed and correct in all its particulars, and that no bonus has been given or received on account of said invoice;

(4) Total number of female dogs spayed or immunized by each participating veterinarian in each of the following categories:

a. Up to 25 lbs.;

b. 26-50 lbs.;

c. 51-75 lbs.; and

d. Over 75 lb

(5) Total number of female cats spayed or immunized by each participating veterinarian at any weight;

(6) Total number of male dogs neutered or immunized by each participating veterinarian in each of the following categories:

a. Up to 25 lbs.;

b. 26-50 lbs.;

c. 51-75 lbs.; and

d. Over 75 lbs.;

(7) Total number of male cats neutered or immunized by each participating veterinarian at any weight;

(8) Total monthly reimbursement to be made to each participating veterinarian or veterinarian practice. Total reimbursement shall be calculated according to Section 7.1(c)

(9) Signature, title and date by administrator;

(10) Any other information that the Agency may require by contract with the administrator.

(f) Total reimbursement for the month indicated shall be determined by:

(1) For each participating veterinarian: Separately listing the number of surgeries performed on dogs by sex and weight;

(2) For each participating veterinarian: Separately listing the number of surgeries performed on cats, of any weight, by sex;

(3) For each participating veterinarian: Separately listing the unit cost of each surgery performed;

(4) For each participating veterinarian: Multiplying the number of surgeries by their respective unit cost to calculate the subtotals;

(5) For each participating veterinarian: Adding the subtotals to calculate the surgical total;

(6) For each participating veterinarian: Calculating 80 percent of the surgical total;

(7) For each participating veterinarian: Subtracting total payment received from pet owners from the 80 percent surgical total; and

(8) For each participating veterinarian: Adding the cost of immunizations, not to exceed the approved amount per pet, to the total determined from (7) above.

(9) The Agency of Agriculture shall make payments to participating veterinarians on a bi monthly basis.

(g) The administrator of the animal population control program shall maintain an up-to-date list of participating veterinarians;

(h) The administrator shall report achievements in the semi annual report outlined in Section 7.1 (f);

(i) The administrator shall prepare a semi annual report detailing program progress. The report shall include but is not limited to a summary of activities within the quarter, number and location of procedures performed, current list of participating veterinarians, summary of outreach/education activities performed and overall assessment of program success;

(j) At least annually, the administrator shall calculate the average sterilization fees for dogs and cats of all the participating veterinarians. adjusted by the cost of living index (source to be determined by the Agency)

(k) The administrator shall disqualify any sterilization fee deemed excessive, in accordance with Section 7.3;

(l) The administrator shall, in consultation with the agency, notify participating veterinarians when funds for the animal population control program become depleted so they may stop accepting clients under this program.

(m) The administrator shall maintain the confidentiality of information pertaining to pet owners with regard to the application for participation in the program.

SECTION 7.2- FUNDING FEES COLLECTED.

Cities and towns shall forward the yearly animal population control fees collected in conjunction with the dog licensing fees to the Treasurer no later than May 15th of each year. Checks should be made payable to "Treasurer, State of VT."

SECTION 7.3 - MAXIMUM FEE TO PARTICIPATING VETERINARIANS.

The maximum fee to be reimbursed for each procedure shall not be greater than 20 percent more than the statewide average for that procedure.

SECTION 7.5 – AUDITING.

The program fund shall be reviewed quarterly by the Agency of Agriculture, Food, and Markets.