

Chapter 702: Rules for the Low Income Spay/Neuter Program

Summary:

This Chapter establishes and implements a low-income spay/neuter program for cats and dogs. Eligibility requirements for participation in the program, veterinarian reimbursement, and program administration and performance measurements are contained in these rules.

The purpose of the low-income spay/neuter program is to reduce:

- a) Stray and unwanted cats and dogs
- b) Stray and unwanted cats and dogs entering animal shelters
- c) Cat and dog euthanasia rates
- d) Dog bites
- e) Feral cats
- f) Threats to public health and safety from rabies and other zoonoses
- g) Community and state animal control costs

1. DEFINITIONS:

- A. CAT – A member of the genus and species known as felis catus.
- B. COMMISSIONER – The Commissioner of the State of Maine Department of Agriculture, Food and Rural Resources.
- C. DEPARTMENT – The Department of Agriculture, Food and Rural Resources.
- D. DOG – A member of the genus and species known as canis familiaris.
- E. DOG LICENSE– A State of Maine license obtained by the owner or keeper of a dog at the age of 6 months or more, on or before January 1<sup>st</sup> of each year.
- F. KEEPER – A person in possession or control of a dog or other animal becomes the keeper of a stray domesticated animal, other than a dog or livestock, if the person feeds that animal for at least 10 consecutive days.
- G. LICENSED ANIMAL SHELTER – A facility, licensed by the state, which includes a physical structure or part of a physical structure that provides temporary or permanent shelter to stray, abandoned, abused, or owner-surrendered animals.
- H. OWNER – Any person, firm, partnership, association or corporation owning, keeping or harboring a dog or other animal.

- I. PROGRAM – The Low-Income Spay/Neuter Program for dogs and cats.
- J. SPAY/NEUTER – To sterilize a female animal by removing the ovaries or to castrate a male animal by removing the testicles or by FDA approved pharmaceutical sterilization.
- K. STRAY ANIMAL – A cat or dog with no known owner that may be deserted, sick, or injured.
- L. UNWANTED – A cat or dog abandoned or not wanted by its owner or keeper.

2. ELIGIBILITY

To be eligible for the low-income spay/neuter program a person must be an adult (18 years or older); be a resident of the State of Maine; be the owner or keeper of the cat or dog being spayed or neutered by a participating veterinarian; make a \$10.00 co-payment for a cat or a \$20.00 co-payment for a dog to the Department's Animal Welfare Program (AWP); and be a recipient of or eligible for one of the following programs or be a recipient of or be eligible for any other public assistance program that the Commissioner determines will meet the low-income objective:

- a) Food Stamps
- b) Temporary Assistance for Needy Families (TANF)
- c) Supplemental Security Income (SSI)
- d) Social Security Disability (SSD)
- e) Maine Care (Medicaid)
- f)

Dogs and cats imported from out of state into Maine animal shelters, rescues, pet stores or adoption agencies shall not be eligible for this program.

3. VETERINARIAN PARTICIPATION

- A. Any veterinarian licensed in this state may participate in the program established under this Chapter. To participate, a veterinarian must file with the Commissioner on a biennial basis a signed agreement on a form provided by the Commissioner agreeing to all pre-set fees and program conditions.

Pre-set fees shall be set by the Commissioner in consultation with the Maine Veterinary Medical Association on a biennial basis.

- B. For all cats and dogs sterilized under this program the Commissioner shall reimburse the veterinarians for services on a monthly basis. The pre-set fee shall cover the cost of the spay/neuter surgery and a rabies vaccination. The owner shall be responsible for the payment of any additional procedures administered by the veterinarian that are not covered under this program.

4. PROGRAM ADMINISTRATION

- A. The AWP shall administer the program for the Commissioner and shall be responsible for:
- 1) Distributing, collecting and compiling all forms including but not limited to veterinarian participation agreements and sterilization and immunization certifications;
  - 2) Maintaining a list of participating veterinarians;
  - 3) Determining owner eligibility;
  - 4) Collection of co-payments;
  - 5) Reimbursing veterinarians in accordance with the agreements and these rules.

5. PERFORMANCE MEASUREMENT

Performance Measurement is necessary to determine the success of the program and to assess if any changes in the program should be made. To measure the performance of this program, the AWP shall require standardized reporting of statewide cat and dog intake and euthanasia numbers to the AWP by licensed animal shelters, which are required to keep and maintain such information in accordance with 01-001 CMR Chapter 701: Rules Governing Animal Welfare 1C. The reporting will be on forms provided by the Department.

6. FUNDING

A Low-Income Spay/Neuter Fund shall be established for this program. Any monies received by the Commissioner in accordance with the authority provided by 7 M.R.S.A. §3906-B (13) shall be deposited into a separate, non-lapsing account and shall be dedicated for use by the Commissioner exclusively for implementation of this program, including veterinarian reimbursement, administration, promotions and other costs associated with the program. Interest earnings credited to the assets of the fund shall become part of the fund.

Statutory Authority: 7 M.R.S.A. §3906-B (13)