

*Regulations of Connecticut State Agencies*

TITLE 22. Agriculture. Domestic Animals

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*Agency*

**Department of Agriculture**

*Subject*

**Animal Population Control Program**

*Inclusive Sections*

**§§ 22-380m-1—22-380m-5**

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**Animal Population Control Program**

**Sec. 22-380m-1. Animal population control program: Definitions**

As used in Sections 22-380m-1 through 22-380m-5, inclusive:

- (1) “Spay” means the surgical procedure of ovariectomy on a female dog or cat;
- (2) “Neuter” means the surgical procedure of castration on a male dog or cat; (3) A “bona fide animal rescue or adoption organization” means a non-profit organization, with a principal place of business in Connecticut, that is engaged in the annual placement of ten or more dogs and cats as pets with the public. In order to qualify as a bona fide animal rescue or adoption organization, such organization must have a written adoption policy and a spay/neuter program in place, and no officer, director, member or employee of such organization shall have been convicted of violations of laws pertaining to animal abuse or cruelty;
- (4) “Medically unfit” means any medical condition, as determined by a participating veterinarian, that may place a dog or cat at life-threatening risk if a surgical procedure is performed on that animal;
- (5) “Cryptorchidism” means the retention of the testes in the abdomen or inguinal canal; and
- (6) “Veterinary Practice” means one or more licensed veterinarians who provide veterinary services through a professional proprietorship, partnership or corporation.

(Effective February 23, 1995)

**Sec. 22-380m-2. Animal population control program: Payment required for adoption of unspayed or unneutered dogs and cats. Refunds**

(a) No pound shall sell or give away any unspayed or unneutered dog or cat to any person unless such pound receives forty-five dollars from the person buying or adopting such dog or cat, provided that such payment shall not be required for the purchase or adoption of any dog or cat by a bona fide animal rescue or adoption organization as that term is defined in subsection (3) of section 22-380m-1 of the Regulations of Connecticut State Agencies. In order to be exempt from payment of the forty-five dollars, a bona fide animal rescue or adoption organization must present to the pound a currently valid form provided and signed by the commissioner certifying that such organization meets the definition of a bona fide animal rescue or adoption organization and is exempt from the forty-five dollar fee. Certification by the commissioner that the organization meets the definition of a bona fide animal rescue or adoption organization shall be for a one-year period but may be renewed on a yearly basis.

(b) At the time of the receipt of payment, the pound shall provide to the person purchasing or adopting an unspayed or unneutered dog or cat a certificate, noting payment of the forty-five dollars, on a form provided by the commissioner.

(c) All moneys received by a pound pursuant to General Statutes § 22-380f and subsection (a) of section 22-380m-2 of the Regulations of Connecticut State Agencies shall be paid at least monthly by the pound into the account.

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(d) If such certificate is returned to the commissioner postmarked within thirty days of the adoption or purchase of the dog or cat and is signed by a participating veterinarian stating that such dog or cat has been spayed or neutered and specifying the date on which the operation was performed, or that such dog or cat is medically unfit for such surgery, the commissioner shall refund thirty-five dollars to the person who purchased or adopted the animal.

(e) If such certificate is not returned to the commissioner postmarked within thirty days, the payment shall be considered forfeited and shall be retained in the account, except that, in the case of a dog or cat that is medically unfit for surgery or a dog or cat under the age of six months, such certificate shall specify a date by which such dog or cat may be fit for surgery and the eligible owner shall have thirty days from that date to return the certificate for the refund provided in subsection (d) of section 22-380m-2 of the Regulations of Connecticut State Agencies.

(Effective February 23, 1995)

**Sec. 22-380m-3. Animal population control program: Animal population control account**

(a) The account will contain moneys required by law to be deposited in the account. Any balance remaining at the end of any fiscal year will be carried forward to the succeeding fiscal year.

(Effective February 23, 1995)

**Sec. 22-380m-4. Animal population control program: Participating veterinarians**

(a) Any veterinarian licensed pursuant to General Statutes § 20-199 and practicing within the State of Connecticut may file with the commissioner an application to become a participating veterinarian on a form available from the commissioner. Such application shall list the fees charged by the veterinarian for animal sterilizations performed in the normal course of business. Any licensed veterinarian of the State of Connecticut may be certified by the commissioner as a participating veterinarian provided that the veterinarian meets and continues to meet the criteria set forth in section 22-380m-4 of the Regulations of Connecticut State Agencies. Any veterinary practice located in the State of Connecticut may be certified by the commissioner as participating veterinarians provided each veterinarian of such practice meets and continues to meet the criteria set forth in section 22-380m-4 of the Regulations of Connecticut State Agencies.

(b) In order to be certified by the commissioner as a participating veterinarian, the veterinarian must:

(1) perform all spay and neuter surgical procedures, and presurgical immunizations in a veterinary hospital facility that meets the standards set forth by section 20-196-4 of the Regulations of Connecticut State Agencies;

(2) make all records pertaining to care provided, work done and fees received for or in connection with program available for inspection by the commissioner or his

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representatives;

(3) maintain records in accordance with §§ 19a-14-40 through 19a-14-44, inclusive, of the Regulations of Connecticut State Agencies;

(4) hold a currently valid license to practice veterinary medicine in the State of Connecticut by the Department of Health & Addiction Services; and

(5) submit a fee schedule, on his or her application for certification as a participating veterinarian, that the commissioner deems reasonable. The commissioner shall find a fee schedule to be reasonable if the charge for each animal sterilization procedure is not greater than 10% above the average charge for such procedure in the county in which the veterinarian practices, as set forth in the following fee schedule:

**Animal Population Control Program Fee Schedule in Dollars**

<i>County</i>	<i>Weight/Dog</i>								<i>Cat.</i>	
	0-25 lb.		26-50 lb.		51-75 lb.		75+ lb.		M	F
	M	F	M	F	M	F	M	F		
Fairfield Avg.	123	146	134	150	139	155	145	162	73	113
Hartford Avg.	89	108	92	112	99	118	102	125	49	79
Litchfield Avg.	69	87	72	91	76	97	76	101	37	63
Middlesex Avg.	68	86	75	97	86	112	95	131	41	64
New Haven Avg.	106	121	114	131	119	136	122	143	52	94
New London Avg.	72	81	75	85	82	91	85	98	38	65
Tolland Avg.	89	106	91	109	94	113	99	123	42	72
Windham Avg.	70	86	75	92	80	98	83	103	37	60

(c) Any participating veterinarian who does not meet the requirements of this section shall be disqualified from participation in the program. A veterinarian may apply for, and the commission may grant, reinstatement in the program if, at the time the application for reinstatement is filed, the veterinarian meets the requirements of this section.

(d) Any veterinarian disqualified or otherwise denied participation may appeal, within ten days of receipt of a notice of such disqualification or denial, to the commissioner, who shall hold a hearing to consider such appeal in accordance with the provisions of General Statutes Chapter 54.

(e) Complaints received by the commissioner or his representatives regarding services provided by participating veterinarians shall be referred to the Board of Veterinary Medicine of the Connecticut Department of Public Health & Addiction Services.

(f) Certification as a participating veterinarian shall be for a period of one year and may be renewed annually.

(g) A participating veterinarian performing an animal sterilization procedure will be entitled to payment from the account, upon submission of the animal sterilization certificate,

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signed by the participating veterinarian and the eligible owner, of a fee equivalent to eighty percent of the fee charged by the veterinarian for each procedure, as listed on the fee schedule submitted by such veterinarian on his or her application for certification as a participating veterinarian.

(h) The commissioner may make periodic adjustments to the fee schedule as deemed necessary, by amending these regulations in accordance with sections 4-166 to 4-189, inclusive, of the general statutes. If the commissioner amends the fee schedule in the manner set forth herein, a participating veterinarian shall be compensated for any procedures performed under this program at the rate set forth in the previous fee schedule until the participating veterinarian's current certification expires.

(i) A neuter procedure involving a cryptorchid condition shall be paid at the same rate as a spay surgical procedure listed in subsection (b) (5) of section 22-380m-4 of the Regulations of Connecticut State Agencies.

(Effective February 23, 1995)

**Sec. 22-380m-5. Animal population control program: Presurgical immunizations**

(a) In addition to the fee received for an animal sterilization procedure, the commissioner shall pay to the participating veterinarian a fee, as limited in subsection (c) of this section, for presurgical immunizations performed by such veterinarian upon a dog or cat, not previously immunized, that is owned by an eligible owner.

(b) Participating veterinarians may receive payment only for the presurgical immunizations of dogs against rabies, distemper, hepatitis, leptospirosis and parvovirus, and the presurgical immunizations of cats against rabies, feline panleukopenia, calici, pneumonitis and rhinotracheitis.

(c) In no event shall a participating veterinarian be entitled to a payment of more than ten dollars for each immunization procedure and, in any case, more than twenty dollars for one animal.

(d) A participating veterinarian shall be paid by the commissioner from the account upon the submission of a certificate, to be provided by the commissioner, and signed by the veterinarian performing the operation and by the eligible owner, stating that the animal has been immunized coincident with the performance of an animal sterilization procedure pursuant to the program.

(Effective February 23, 1995)