June 4, 2020

RE: Promulgation of 330 CMR 30.00 – Animal Rescue and Shelter Organization Regulations

Dear Animal Rescue and Shelter Organizations,

I am writing to inform you of the promulgation of the Animal Rescue and Shelter Organization Regulations at 330 CMR 30.00 (enclosed). As many of you are aware it has been a very long but necessary process replacing Order 1-AHO-05, which was issued on May 26, 2005. The Department engaged stakeholders and other interested parties over several years while drafting and redrafting the regulatory language. The result is a reasonable set of regulations that balance the needs of the regulated community with those of the animals they seek to help and the public who wish to provide foster care or adopt them. Although there are many changes with respect to what is required, we anticipate many will find they are already complying with the new provisions. The Department will be patient, and also asks for your patience as we transition from Order 1-AHO-05 to the new regulations.

The regulations reference a document, Best Practices for Providing Foster Care, which must be provided to any person providing foster care for the organization. A copy of that document is attached here. I have also attached a copy of the Hearing Officer Report for the public hearing conducted on April 23, 2019. The report discusses the changes that were made based on public comments, and also explains why the Department chose not to make other changes.

Although the regulations technically went into effect on March 6, 2020, the ongoing COVID-19 pandemic significantly impacted the rollout process. The changes will be summarized here, but understand that certain provisions, for instance the licensing requirement, may not be implemented until 2021. The following provides a summary of the major changes:

- All organizations will be licensed by the Department. Licenses must be renewed annually. There is a licensing fee of $100.

- Organization-operated facilities (bricks and mortar shelters, not foster homes) must maintain basic sanitary conditions, and must have a separate quarantine room where sick animals can be held separate from the healthy population.

- Core vaccines for dogs and cats are now required (Distemper/Parvo for dogs, Panleukopenia/Calici for cats). Proof of at least one vaccine is required before importation.

- Dogs over 6 months of age must have a negative heartworm test.

- Animals' behaviors must be observed and documented. Behavior observations must be disclosed to prospective adopters. Animals with behavior issues that may pose a safety risk must be addressed prior to placement.

- People providing foster care for an organization may only do so under a written agreement.
- All dogs and cats must be examined by a veterinarian and be deemed healthy prior to placement (health certificates can be valid for up to 6 months, provided the animal remains healthy).

- Animals with certain medical conditions or behavior concerns may be placed provided the issue is disclosed to the prospective adopter.

- Adopters may return animals for a full refund of the adoption fee if a medical condition or behavior issue that was not disclosed is discovered by a veterinarian within 14 days of placement.

- Organizations handling only Massachusetts origin animals will have to maintain records of the animals they take in and place.

We know that these adjustments may be difficult for some organizations, but know that the Department is willing to work with you to help get you into compliance. We want organizations to strengthen their operations and succeed. We also want to work towards improving outcomes for animals and their new owners. I am willing to work personally with any organizations that have concerns about meeting compliance. Please feel free to contact me directly by email at michael.cahill@mass.gov, or by phone at (617) 626-1794.

Sincerely,

Michael Cahill, Director
Division of Animal Health