

Good morning Chairman Johnson and members of the House Agriculture Committee. My name is Kirby Kruger, and I am the Director of the Division of Disease Control and the Medical Services Section Chief with the North Dakota Department of Health. I am here today to support Senate Bill 2092.

Before I address the proposed amendments, I would like to provide some background on rabies and rabies control in North Dakota. Rabies is a viral infection that affects an individual's nervous system. It is found in the saliva and central nervous system tissues of infected animals. Rabies is usually transmitted from the bite of an infected animal. For all practical purposes, human rabies needs to be considered 100 percent fatal. Rabies cannot be cured but can be prevented through proper post-exposure immunizations. This requires that when notified of a possible rabies exposure, the Department of Health has the ability to ensure that a rabies exposure has been ruled out.

From 2014 through 2018, 66 cases of rabies have been reported in North Dakota. Please note that 2018 data is still preliminary. Here is a breakdown by species:

• Skunk	35 (53%)	Cat	6 (9%)
• Bovine	12 (18%)	Dog	2 (3%)
• Bat	8 (12%)	Other	3 (5%)

The North Dakota Department of Health works with the Office of the State Veterinarian on many exposure situations. The Department of Health relies on two resources from two national groups to guide its rabies control efforts. These are:

- the Advisory Committee on Immunization Practices (ACIP) and
- the Association of State and Territorial Public Health Veterinarians.

North Dakota Administrative code 33-06-04 requires the Department of Health to use peer reviewed recommendations when taking disease control measures.

The proposed amendments to North Dakota Century Code 23-36 are being requested to simplify the language in statute regarding the control of rabies in North Dakota. After the initial senate agriculture committee hearing, the Department of Health worked with the North Dakota Veterinary Medical Association (NDVMA) and the Office of the State Veterinarian to address concerns the association had regarding the bill. We appreciated being able to work with the veterinarians and the result of that joint effort is what is in front of you today.

One of our goals was to clarify our authority to ensure an animal that had been exposed to rabies or potentially exposed to rabies is being handled correctly. Usually, the greatest public health concern arises when dogs or cats that are pets have been exposed to a wild animal such as a skunk or racoon.

Here is a summary of the most notable changes:

- Page 1, line 9-12: signs and not symptoms is the more correct term to describe disease pathology in animals and the newer language more accurately reflects the course of action of a veterinarian.
- Page 1, lines 20 and 21: vaccination status of a ferret is not relevant for definition of a domestic animal.
- Page 2 lines 3 and 4: we added the term euthanasia and defined it.
- Page 2, lines 17-18: The definition of vaccination was reinstated after it was initially removed, as the term is used in the section.
- Page 3, number 2 of section 23-36-03 has been changed to address wild animals and references to vaccination status have been removed.
- Page 3, number 3 of section 23-36-03 addresses domestic animals. It compels the department to seek voluntary compliance from animal owners in addressing rabies exposures, outlines the measures we can take if the owner is not able or unwilling to comply with recommendations and requires a veterinarian's opinion on signs of illness that the animal may be presenting with, if any.
- Page 3, number 4 of section 23-36-03 addresses situations where an animal may have died or has already been euthanized and that animal had exposed a person or another animal and rabies needs to be ruled out.
- Page 4, lines 8-10: This language will give the Department of Health, a local public health unit or law enforcement the authority to have an animal that may have exposed a person to rabies, examined by a veterinarian.
- Page 4, line 20: we added exposures of another animal as a reason for requesting assistance from other agencies.
- Page 5, lines 2-4: we replaced the word vaccine with biologics to be inclusive of rabies immune globulin, which is an important part of post-exposure rabies prevention but is not technically a vaccine.
- Page 5, line 14 -16 have been removed because there currently is no vaccine approved for any wild animals.
- Page 5, lines 17-18: "another animal" is included to clarify the Department of Health's limits of liability to include situation where an animal may have been exposed to rabies.

The final item I would like to address is that the NDVMA was concerned we had no system of due process in the law. However, NDCC 23-36-04 requires the Department of Health to use an administrative search warrant when taking possession of an animal. There is an exception for when there is an immediate threat to human life or serious bodily injury. However, these types of emergencies are rare with rabies.

We are appreciative of the constructive feedback from the veterinary community after the first hearing in the senate.

This concludes my testimony. I am happy to answer any questions you may have.