

Proposed Rule
68A-9.006 Wildlife Rehabilitation Permit
Agenda Item 7D
December 2023

68A-9.006 Wildlife Rehabilitation Permit – DRAFT version 10.25.23

(1) No person shall possess any sick, injured, orphaned, or otherwise impaired wildlife native to the state of Florida for rehabilitation purposes without a permit from the Commission in accordance with this rule section, except as provided by paragraph (d) below. Wildlife possessed under the authority of this rule remains under the control of the Commission.

(a) Wildlife shall be rehabilitated at the approved facility location, except as provided herein.

(b) The wildlife rehabilitation permit does not authorize rehabilitation of wildlife not native to the state of Florida. Possession of nonnative wildlife shall be in accordance with 379.3761, F.S., 379.3762, F.S., or Chapter 68-5, F.A.C.

(c) The wildlife rehabilitation permit does not authorize rehabilitation of wildlife that did not originate from the wild in Florida, except as provided herein.

(d) This wildlife rehabilitation permit does not authorize rehabilitation of marine turtles or marine mammals. Rehabilitation of marine turtles and marine mammals shall be as otherwise authorized by the Commission.

(e) Sick or injured native crocodilian species may be temporarily possessed by a rehabilitation permittee for the limited purpose of treatment and care in preparation for placement at the direction of the Commission. Permittees shall not possess uninjured hatchlings or eggs of these species unless otherwise authorized by the Commission.

(f) For the purposes of this rule, reptiles may only be possessed if they are sick or injured and shall not be considered orphaned.

(g) Veterinarians licensed by the state of Florida are authorized to be in temporary possession of sick, injured, or impaired wildlife for the purpose of practicing veterinary medicine without obtaining a wildlife rehabilitation permit. Once such wildlife is no longer in need of veterinary medical treatment, it shall be transferred to a permitted rehabilitator or released in accordance with paragraph (12)(c) below. Veterinarians who intake native wildlife in need of rehabilitative care shall contact a permitted wildlife rehabilitator for consultation within 48 hours of intake.

(2) Definitions.

(a) Apprentice rehabilitator – a permittee who is operating under the supervision of a General rehabilitator while learning the necessary skills to be a successful rehabilitator.

(b) Dissolve – the legal process of winding down and officially closing an entity or organization, involving the cessation of all permitted activities.

(c) Fledged – the point at which a juvenile flying animal has become capable of flight.

(d) Habituated wildlife - animals which have become accustomed to the presence and activities of humans to the extent that they have lost their fear of humans and no longer demonstrates fight or flight behavior.

(e) Humane euthanasia - intentionally ending the life of an animal in a manner that minimizes pain, distress, and suffering, as outlined in the American Veterinary Medicine Association guidelines for the euthanasia of animals.

(f) Living area - the part of a residential property that is used for living purposes, which includes rooms such as living rooms, kitchen areas, dens, play rooms, and bedrooms. Rooms used exclusively for housing wildlife shall not be considered a living area.

(g) Mal-imprinting - also referred to as mis-imprinting or improper imprinting, a behavior observed in certain wildlife species where young animals form strong and often irreversible attachments to inappropriate specific objects, individuals, or members of other species during a critical period early in their development.

(h) Non-releasable - wildlife that is determined by the Commission to be unsuitable for release back into its natural habitat due to mal-imprinting, habituation, or physical impairment.

(i) Off-site volunteer – an individual authorized under a General rehabilitation permit to temporarily possess wildlife at a location other than the permitted facility for the sole purpose of caring for migratory birds or orphaned infant wildlife as provided in this rule.

(j) Orphaned wildlife – an infant mammal or bird which has been permanently separated from its natural parents and cannot survive on its own.

(k) Refusal of inspection – when a permittee, applicant, employee, or volunteer intentionally denies access by Commission personnel to the facility, inventory, or facility's records or directs another to deny such access.

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(l) Rehabilitation - temporary possession of sick, injured, or orphaned wildlife to provide for the proper treatment and care of such wildlife for the specific purpose of release back into the wild. This process aims to minimize human interaction while maximizing the animal's chances of survival and successful reintegration into the wild.

(m) Soft release – a means of gradually acclimating rehabilitated wildlife to a more natural environment before permanent release. Animals undergoing soft release must have at least twelve (12) hours of unrestricted access to the wild daily.

(n) Sponsor – a General wildlife rehabilitation permittee who elects to mentor an Apprentice wildlife rehabilitation permittee for the purpose of providing oversight, guidance, and training to assist the Apprentice in becoming a General wildlife rehabilitator.

(o) Weaned – an early stage in a mammal's life in which they would normally shift their dependency from milk and transition to other sources of food; no longer relying on milk for nourishment.

(3) Qualification requirements for a permit to possess wildlife for rehabilitation purposes (Apprentice and General):

(a) Applicant must be eighteen (18) years of age or older.

(b) Applicant shall not have been convicted of any violation of captive wildlife regulations or venomous reptile or reptile of concern regulations involving unsafe housing of wildlife or that could potentially endanger the public; any violation involving the illegal commercialization of wildlife; any violation involving cruelty to animals; any violation involving importation of wildlife; or any violation involving improper rehabilitation of wildlife within three (3) years of the date of application.

(c) Applicant shall not have refused a captive wildlife inspection within three (3) years of the date of application.

(d) Applicant shall specify the location of the facility at which wildlife undergoing rehabilitation shall be maintained. There shall only be one General wildlife rehabilitator permitted at each facility location. The facility shall be constructed on property owned or leased by the applicant, except Apprentice wildlife rehabilitators may be permitted at the same facility location as their sponsor. Facilities for wildlife rehabilitation shall be inspected and approved by Commission personnel prior to the issuance of the permit and placement of animals at the facility location.

(e) Applicants shall provide proof of completion of a Commission-approved Basic Wildlife Rehabilitation course provided through the International Wildlife Rehabilitation Council (IWRC), the National Wildlife Rehabilitators Association (NWRA), or the Florida Wildlife Rehabilitators Association (FWRA). Individuals with a valid rehabilitation permit on [effective date of this rule] shall be exempt from this requirement.

(f) Applicants requesting to renew an existing permit shall provide documentation of sixteen (16) hours of continuing education completed during the current permit period. Approved continuing education courses or symposiums shall only include the International Wildlife Rehabilitation Council (IWRC) Certified Wildlife Rehabilitator Approved Continuing Education List or other relevant Commission-approved courses. If a symposium is used for continuing education, such documentation of continuing education shall include a list of courses attended and proof of attendance provided by facilitator. Individuals with a valid rehabilitation permit on [effective date of this rule] shall come into compliance with this requirement by [2 years after effective date of rule].

(g) Initial applicants for a General wildlife rehabilitation permit must have maintained an active Apprentice wildlife rehabilitation permit and have been operating as an Apprentice wildlife rehabilitator under a sponsor for at least one (1) year.

(h) A wildlife rehabilitation permit shall authorize the rehabilitation of all native wildlife, except those outlined below. To add additional authorizations, applicants shall meet the qualifications outlined in paragraphs (i)-(m) below, as applicable.

(i) In order to rehabilitate native species designated as Class I or Class II wildlife per Rule 68A-6.002, F.A.C., applicants shall demonstrate experience requirements in accordance with Rule 68A-6.004(2)(c) or (d), F.A.C., respectively.

(j) In order to rehabilitate native venomous reptiles, applicants shall demonstrate experience requirements in accordance with Rule 68A-6.017(2)(e), F.A.C.

(k) General wildlife rehabilitation permittees shall gain experience or training before being authorized to rehabilitate the following:

1. Raccoons

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2. Foxes
3. Otters
4. Beavers
5. Bats
6. Reptiles

(l) Experience or training for the species listed in subparagraphs (k)1 – 6 above shall consist of the following:

1. For initial General wildlife rehabilitation permit applicants, experience and training gained under a General wildlife rehabilitation permittee who is authorized for the specific wildlife requested. Such experience or training shall consist of successful rehabilitation of at least two (2) individuals of the requested wildlife under the guidance of a General wildlife rehabilitation permittee who is authorized for the specific wildlife requested.

2. For permitted General wildlife rehabilitators, experience shall be gained through experience and training as provided in subparagraph (l)1. above or education courses which include topics specifically related to the care and treatment of the wildlife requested. Such education courses shall consist of at least two (2) hours of courses from the approved list specified in paragraph (f) above.

(m) A federal permit authorizing rehabilitation of migratory birds, issued by the United States Fish and Wildlife Service (USFWS), is also required if possessing migratory birds for rehabilitation purposes. Such permit shall be obtained and maintained and shall be made available for inspection upon request of Commission personnel.

(n) Individuals with a valid rehabilitation permit on [effective date of this rule] shall be considered General wildlife rehabilitators and shall be exempt from the requirements in paragraphs (g)-(l) above.

(4) Permit application requirements for General and Apprentice rehabilitators: An applicant shall make application to the Commission by submitting the online application through <http://www.GoOutdoorsFlorida.com>. The applicant for a permit to possess wildlife for rehabilitation purposes shall provide the following information:

(a) The applicant's legal name, date of birth, and contact information to include personal phone number, business phone number, and email address, if any.

(b) To be permitted as a business, in addition to paragraph (a), the applicant shall provide the name of the business and the business shall be currently registered through the Florida Department of State, Division of Corporations.

(c) The complete mailing address to include city, state, and zip code for the applicant/business.

(d) The complete facility address where the wildlife is located to include city, state, and zip code.

(e) The county or counties where the facility is located.

(f) Whether the facility is owned or leased by the applicant. A copy of the valid and current lease agreement shall be submitted with the application in the event that the facility location is under lease to the applicant.

(g) The applicant's driver's license number/ID number and a copy of the applicant's valid government-issued photo ID.

(h) Description of the types of holding facilities, cages, or enclosures the applicant maintains.

(i) Whether the applicant is requesting authorization for rehabilitation of orphaned infant wildlife only.

(j) The name, business name (if applicable), physical address, and personal or business phone number for a veterinarian who will assist applicant by providing consulting and referral services regarding treatment and diagnosis.

(k) A signed letter from attending veterinarian as described in paragraph (j) above, verifying such consulting and referral services. The letter shall include a list of the types of wildlife for which the veterinarian agrees to provide services and assistance.

(l) Initial applicants for a General wildlife rehabilitation permit shall submit a notarized letter from their sponsor(s) verifying the sponsor has provided supervision, direction, and adequate training of the duties and regulations involved in proper wildlife rehabilitation. The letter shall specify the length of time the applicant was an Apprentice under the sponsor.

(m) Initial applicants for a General wildlife rehabilitation permit who wish to be authorized to rehabilitate wildlife listed in subparagraphs (3)(k)1-6 above shall submit a notarized letter from their sponsor(s) verifying the sponsor has provided experience and training with the specific wildlife they wish to be authorized for. The letter shall specify the length and type of training the applicant received under the sponsor.

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(n) General wildlife rehabilitation permittees who did not possess a valid rehabilitation permit on [effective date of this rule] who wish to rehabilitate wildlife listed in subparagraphs (3)(k)1-6 above shall submit documentation verifying experience and training with the specific wildlife they wish to be authorized for. Such documentation shall include:

1. A notarized letter from a General wildlife rehabilitation permittee who is authorized for the specific wildlife requested verifying they have provided experience and training with the specific wildlife requested. Such letter shall specify the length and type of training the applicant received under the permittee; or

2. Proof of education courses required in subparagraph (3)(l)2. above which include topics specifically related to the care and treatment of the wildlife requested.

(o) An estimate of the maximum number and type(s) of wildlife applicant is equipped to handle at any one time.

(p) The applicant's acknowledgement that the information provided in the application is true, accurate, and complete.

(q) Apprentice rehabilitator applicants shall also provide a current notarized letter from a holder of a valid General wildlife rehabilitation permit stating that he or she will sponsor and assist the applicant as necessary in the items outlined in subparagraphs (6)(a)1-4 below.

(5) Apprentice rehabilitators.

(a) Apprentice rehabilitation facilities shall be located no more than 120 miles from the sponsor facility.

(b) Apprentice rehabilitation permittees shall maintain a sponsor at all times while operating as an Apprentice. Any change in sponsorship status shall be reported by the Apprentice to the FWC Captive Wildlife Section in writing no later than one (1) week after change in sponsorship status.

(c) Apprentice rehabilitation permittees shall be authorized for rehabilitation of the wildlife species for which their sponsor is authorized without meeting additional experience requirements.

(d) Apprentice rehabilitators who are permitted at the same facility location as their sponsor shall maintain independent records, shall specifically identify which animals are under their care, and shall not commingle wildlife under their care with wildlife under the care of their sponsor.

(e) If a sponsor withdraws their sponsorship, the Apprentice shall obtain a new sponsor within thirty (30) days. An apprentice shall not be in possession of wildlife held under the authority of this rule without a sponsor.

(f) Apprentice rehabilitation permittees shall not utilize off-site volunteers.

(6) Sponsor responsibilities.

(a) A sponsor is responsible for assisting their Apprentice(s) as necessary with:

1. Learning about relevant wildlife laws and regulations;

2. Basic care of native wildlife, to include animal behavior, husbandry, nutritional requirements, rehabilitative care, and ecology;

3. Determining appropriate equipment needed for wildlife rehabilitation; and

4. Learning and understanding standards in wildlife rehabilitation, as established by the International Wildlife Rehabilitation Council.

(b) A sponsor must perform a physical site check of each Apprentice's facility no less than once during every three (3) month period. Documentation of each site check shall be submitted to the Commission no more than seven (7) days after the completion of the site check. Such documentation shall include verification of complete and accurate records as follows:

1. Species and number of all wildlife currently undergoing rehabilitation at the facility.

2. Intake records for all wildlife at the facility.

3. Treatment plan for all sick or injured wildlife at the facility.

4. Care records for all orphaned infant wildlife at the facility.

5. All disposition records.

6. Overview of condition of the facility, to include sanitation, nutrition, and caging.

7. Verification that rehabilitation is being conducted in a manner that minimizes human interaction and maximizes the wildlife's chances of survival and successful reintegration into the wild.

8. Deficiencies noted and guidance given for areas of improvement.

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- (c) Documentation of Apprentice facility site visits shall be maintained at the sponsor's facility for a period of three (3) years and shall be available to Commission personnel upon request.
- (d) A General wildlife rehabilitation permittee shall sponsor no more than three (3) Apprentices at any time.
- (e) A General wildlife rehabilitation permittee who no longer wishes to sponsor a current Apprentice shall notify the FWC Captive Wildlife Section in writing no later than one (1) week after change in sponsorship status.
- (7) Off-site volunteers.
 - (a) A General rehabilitation permittee may have up to and no more than ten (10) off-site volunteers at any one time.
 - (b) To add an off-site volunteer to their permit, a General rehabilitator shall provide the legal name, date of birth, phone number, off-site location address, and a copy of a current valid government-issued identification of the off-site volunteer to the Commission.
 - (c) The addition of an off-site volunteer to a General rehabilitator's permit shall be approved by the Commission prior to wildlife being housed at an off-site location.
 - (d) The off-site volunteer location shall be located no more than 120 miles from the main permitted rehabilitation facility.
 - (e) When not at the main facility location, wildlife shall only be rehabilitated at the approved off-site location.
 - (f) Off-site volunteers shall meet the requirements outlined in paragraphs (3)(a)-(c) above.
 - (g) In order to possess native species designated as Class I or Class II wildlife per Rule 68A-6.002, F.A.C., off-site volunteers shall demonstrate experience requirements in accordance with Rule 68A-6.004(2)(c) or (d), F.A.C., respectively.
 - (h) Off-site volunteer facilities are subject to inspection at all times. If an inspection is refused, off-site volunteer shall lose their privileges to possess wildlife for rehabilitation and all wildlife possessed at the off-site volunteer's location shall be transferred to the main rehabilitation facility within forty-eight (48) hours following the refusal.
 - (i) General rehabilitators shall be fully responsible for the off-site volunteer's care and possession of the wildlife.
 - (j) Wildlife rehabilitators who utilize off-site volunteers shall maintain a current valid list of all off-site volunteers at their facility. Such list shall include name, address, and phone number of each off-site volunteer. The list shall be available to Commission personnel upon request.
 - (k) Wildlife rehabilitators who utilize off-site volunteers shall maintain a current list of all wildlife possessed by each off-site volunteer, listed by species and number.
 - (l) All wildlife shall be physically admitted to the main rehabilitation facility prior to being transferred to an off-site volunteer's location.
 - (m) Off-site volunteers shall maintain a copy of the General rehabilitator's valid permit at their location at all times wildlife is present.
 - (n) If possessing migratory birds for rehabilitation purposes, off-site volunteers shall be authorized on a federal permit issued by the United State Fish and Wildlife Service (USFWS) and authorizing rehabilitation of migratory birds. Such permit shall be made available for inspection upon request of Commission personnel.
 - (o) Migratory birds shall be held off-site and returned to the General rehabilitator's facility in accordance with the conditions of their federal rehabilitation permit.
 - (p) All wildlife, except migratory birds, shall be returned to the General rehabilitator's facility no more than one (1) week after the animal is weaned, or when they reach twelve (12) weeks in age, whichever comes first.
- (8) Facility requirements.
 - (a) The facility shall be constructed on property owned or leased by the permittee with the exception of those permitted as Apprentices located at the same facility as their sponsor. If leased, permittee shall maintain a current lease agreement for the facility property which shall be available for inspection by Commission personnel upon request.
 - (b) Wildlife undergoing rehabilitation shall be housed in a way which minimizes human interaction to prevent mal-imprinting or habituation. Wildlife undergoing rehabilitation shall not be housed in a space that is actively being used as a living area.
 - (c) When hands-on care is necessary, wildlife may be cared for temporarily in a living area before the animal's eyes have opened.
 - (d) The facility shall have a designated area suitable to quarantine animals.

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(e) Caging requirements:

1. Wildlife being held for rehabilitation shall be housed or caged in outdoor enclosures which meet the standard caging requirements set forth in Chapter 68A-6, F.A.C., unless otherwise specified herein. Increased cage size for additional animals as provided in Chapter 68A-6, F.A.C., shall not be required, so long as the enclosure allows for natural behavior and movement for the animals enclosed.
 2. Sick or injured wildlife being held for rehabilitation, for veterinary care, or for quarantine may be housed or caged in indoor or outdoor enclosures smaller than the sizes set forth in Chapter 68A-6, F.A.C., for a period not to exceed sixty (60) days. This period may be extended in circumstances where a licensed veterinarian has certified in writing that a longer holding period is medically necessary in the interests of the health, safety and welfare of the subject animals or the public. Medical records concerning all animals for which an extension of the sixty (60) day period is obtained shall be maintained at the facility and shall be made available for inspection upon request by Commission personnel.
 3. Prior to being weaned or fledged, infant wildlife may be housed in indoor or outdoor enclosures smaller than the sizes set forth in Chapter 68A-6, F.A.C.
 4. After being weaned or fledged, juvenile wildlife must be housed outdoors and may be housed in enclosures smaller than the sizes set forth in Chapter 68A-6, F.A.C., for a period not to exceed ninety (90) days from intake of the animal.
 5. Once wildlife being housed in indoor enclosures are in stable health and any injuries have sufficiently healed, animals shall be released or moved to outdoor enclosures.
 6. The caging or enclosures of all wildlife temporarily held under this section shall not be smaller than that required for the caged animal to stand up, lie down, and turn around without touching the sides of the enclosure or another animal.
 7. Cages or enclosures housing wildlife shall be constructed so as to prevent escape and protect the caged animal from injury. Such cages or enclosures shall be free of sharp edges, projections, or objects detrimental to the animal(s)' safety. Such cages or enclosures shall be free of objects that impede the movement of the animal(s) unless necessary to prevent injury to the animal(s).
 8. Wildlife shall be maintained in humane conditions and within compatible groups, including separation of prey and predator species by visual barriers.
 9. Wildlife twelve (12) weeks of age or older shall not be grouped in enclosures in a way which impedes the rehabilitation, natural behavior, or movement for the species being housed.
 10. All enclosures shall be marked, so as to be traceable to written records identifying the animal(s) held within each enclosure. Such records shall be maintained and made available for inspection by Commission personnel.
- (9) Inspection requirements.
- (a) Commission personnel shall inspect and approve an applicant's facility prior to the issuance of a rehabilitation permit. Applicant shall have at least one (1) outdoor enclosure which meets the requirements set forth in subparagraph (8)(e)1. for the wildlife they are intending to rehabilitate.
 - (b) Commission personnel may enter and inspect a permittee's rehabilitation facility to determine whether or not the permittee is in compliance with applicable laws and regulations.
 - (c) Wildlife rehabilitation permits issued to an entity who refuses any such inspection shall be revoked.
 - (d) If a wildlife rehabilitation permit is revoked, denied, non-renewed, or dissolved, Commission personnel shall have the authority to verify the final disposition of wildlife previously authorized under the revoked, denied, non-renewed, or dissolved permit for a period of twelve (12) months after the permit is no longer active. Verification may include inspection by officers of the Commission, pursuant to Section 379.304, F.S.
- (10) Intake requirements.
- (a) Permittees shall not refuse to accept native wildlife except as provided herein. If a permittee receives wildlife they are not authorized to care for due to reasons listed in subsection (1), they shall notify the Commission or immediately transfer to an appropriately permitted rehabilitator. If permittee is unable to care for the wildlife for one of the reasons listed in subparagraphs (a)1-5 below, the permittee shall transfer the wildlife to another rehabilitation facility or refer the member of the public to another rehabilitation facility. Exceptions:

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1. The permittee does not have appropriate space or facilities;
2. The permittee lacks experience or expertise with the species of wildlife so as to prevent successful rehabilitation of the wildlife, or so as to present a danger to the wildlife, the permittee or the public;
3. Accepting the wildlife presents a disease concern for the permittee or others interacting with the wildlife or presents a disease concern for other animals housed at the facility;
4. Wildlife received is older than an infant or is injured and the permittee is only authorized for rehabilitation of orphaned infants; or
5. The permittee has other exigent circumstances. The permittee shall obtain approval from the Commission prior to refusing to accept wildlife due to exigent circumstances.
 - (b) Permittees who receive any species classified as state threatened or endangered, per Rule 68A-27.003, F.A.C., shall notify the FWC Captive Wildlife Section within twenty-four (24) hours after receipt.
 - (c) Permittees who receive any native species designated as Class I or Class II wildlife per Rule 68A-6.002, F.A.C., shall notify the FWC Captive Wildlife Section within twenty-four (24) hours after receipt.
 - (d) Migratory birds originating in another state may be transferred to a permitted rehabilitator in Florida for the purposes of rehabilitation and release in accordance with naturally occurring migratory patterns of the species.
 - (e) If utilizing an unmanned "drop-off" site, the site must be on the permitted facility property, must be checked no less than every twelve (12) hours, and a contact phone number must be posted at the site. If permittee is unable to check the drop-off site every twelve (12) hours for any period of time, notice must be posted at the site informing the public that the drop-off site is not being monitored and not to leave animals at the site.
- (11) Care requirements.
 - (a) Wildlife rehabilitation permittees shall not perform rehabilitative care and treatment beyond their scope and training.
 - (b) If a wildlife rehabilitation permittee receives an animal that is uninjured or does not require further treatment or care after initial observation, such animal shall be released as soon as practicable, but no longer than forty-eight (48) hours after initial observation, in accordance with this rule.
 - (c) When an animal is experiencing severe, unmanageable pain or suffering due to injuries, illness, or other condition, and there is no reasonable expectation of improvement, it shall be euthanized in accordance with (12)(d).
 - (d) Care and treatment of animals undergoing wildlife rehabilitation shall be conducted in a manner which minimizes human interaction to prevent mal-imprinting or habituation and maximizes the animal's chances of survival and successful reintegration into the wild after release.
 - (e) Wildlife rehabilitation permits do not authorize treatment beyond basic medical care. Treatment beyond basic medical care shall include, but is not limited to:
 1. Surgery.
 2. Amputation.
 3. Administering prescription medication which has not been prescribed by a veterinarian.
 - (f) When treatment beyond basic medical care is required, an animal shall be evaluated by a veterinarian as soon as practicable.
 - (g) No wildlife undergoing rehabilitative care shall be altered in the following ways:
 1. Spayed or neutered.
 2. Descended.
 3. Declawed.
 4. Amputations beyond what is medically necessary.
 5. Amputations beyond what is allowed by federal regulations.
 - (h) Sanitation and Nutritional Requirements:
 1. Sanitation, water disposal, and waste disposal shall be in accordance with all applicable local, state, and federal regulations.
 2. Water: Clean drinking water shall be provided daily. Animals shall have continuous access to clean water in a manner which is appropriate for the species. Any water containers used shall be clean. All pools, tanks, water areas and

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water containers provided for swimming, wading or drinking shall be clean. Enclosures shall provide drainage for surface water and runoff.

3. Food: Food shall be of a type that is palatable and nutritionally balanced in a form and presentation appropriate to the animal's natural behavior and medical condition. Specialized diets shall be at the recommendation of a veterinarian. Food shall be provided in an unspoiled and uncontaminated condition. Clean containers shall be used for feeding.

4. Waste: Fecal and food waste shall be removed daily from inside, under, and around cages and stored or disposed of in a manner which prevents noxious odors or pests. Cages and enclosures shall be ventilated to prevent noxious odors.

5. Cleaning and maintenance: Hard floors within cages or enclosures shall be cleaned a minimum of once weekly. Bedding materials shall be changed once soiled. Walls of cages and enclosures shall be spot cleaned daily. The surfaces of housing facilities, including perches, shelves, and any furniture-type fixtures within the facility, shall be cleaned weekly, and shall be constructed in a manner and made of materials that permits thorough cleaning. Cages or enclosures with dirt floors shall be raked a minimum of once every three (3) days and all waste material shall be removed. Any surface of cages or enclosures that may come into contact with animal(s) shall be free of excessive rust that prevents the required cleaning or that affects the structural strength. Any painted surface that may come into contact with wildlife shall be free of peeling or flaking paint.

(i) Wildlife rehabilitation permittees shall comply with all applicable state and county health regulations or orders, including, but not limited to, reporting in accordance with 64D-3.033(1)(e), F.A.C.

(j) Domestic animals allowed on the premises shall be fully vaccinated and have no direct contact with native wildlife undergoing rehabilitation.

(k) Nonnative wildlife shall not be commingled in the same cage or enclosure with native wildlife authorized under this permit.

(12) Disposition requirements.

(a) Wildlife possessed for rehabilitation purposes shall be held no longer than the designated rehabilitation period outlined below before it must be released, euthanized, or deemed non-releasable.

1. Native Class I & II wildlife, except coyotes, shall be held for a rehabilitation period as directed by Commission personnel.

2. Beavers and otters shall be held no longer than twelve (12) months.

3. All other wildlife shall be held no longer than 180 days.

4. Wildlife may be retained for rehabilitation purposes longer than the designated period above in instances where a licensed veterinarian has certified that a longer holding period is necessary in the interest of the health and welfare of the wildlife. Medical records concerning all wildlife for which an extension of the designated period is obtained shall be maintained at the facility and made available for inspection upon request by Commission personnel.

5. Migratory birds may be retained for rehabilitation purposes longer than the designated period above for the purposes of release in accordance with naturally occurring migratory patterns of the species. Records concerning all wildlife for which an extension of the designated period is necessary shall be maintained at the facility and made available for inspection upon request by Commission personnel.

(b) Transfer.

1. Wildlife possessed under the authority of this permit shall only be transferred under the following conditions:

a. A permittee may transfer wildlife to a different permitted wildlife rehabilitator for continuation of care and treatment. If an animal undergoing rehabilitation is transferred to another wildlife rehabilitator, the designated rehabilitation period does not restart at time of transfer.

b. A permittee may temporarily transfer orphaned infant wildlife to their off-site volunteer in accordance with paragraph (7)(l).

c. A permittee may temporarily transfer wildlife to a licensed veterinarian for medical treatment in accordance with paragraph (1)(g).

d. Raptors may also be temporarily transferred to an individual who holds a valid General or Master Falconry permit for the falconer to assist in conditioning the raptors for release to the wild.

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(I) The rehabilitation permittee must provide the falconer with a letter or form that identifies the bird and explains that the falconer is assisting in its rehabilitation.

(II) The falconer is exempt from wildlife rehabilitation facility standards. The falconer must meet the facility standards specified in 68A-9.005, F.A.C.

(III) The falconer does not have to add the raptor possessed for rehabilitation purposes to his or her falconry permit; it will remain under the permit of the rehabilitator.

(IV) Upon coordination with the rehabilitation permittee, the falconer must release all releasable raptors to the wild or return them to the rehabilitation permittee for release within the 180-day timeframe in which the permittee is authorized to possess the birds, unless the Commission or USFWS authorizes the falconer to retain and condition a bird for longer than 180 days, or unless the permittee permanently transfers the bird to the falconer in accordance with subparagraph (b) i.e. below.

e. Raptors may also be permanently transferred to a General or Master Falconer in order to add the raptor to the falconer's permit.

(I) The falconer may acquire a raptor of any age of a species that he/she is permitted to possess directly from a rehabilitator.

(II) The transfer shall be reported pursuant to paragraph 68A-9.005(14)(a), F.A.C.

(III) If the falconer acquires a bird from a rehabilitator, it will count as one of the raptors the falconer is authorized to take from the wild that year.

(c) Release.

1. Permission from landowner or manager shall be obtained prior to release of wildlife.

2. Wildlife shall be released onto suitable habitat near or at the point of capture, if able. If not able, wildlife shall be released onto habitat where such wildlife naturally occurs and which will biologically support the species.

3. Released wildlife shall not create a public nuisance.

4. Wildlife capable of surviving in the wild shall be released as soon as practical and shall not be held for the full designated rehabilitation period specified for the species in paragraph (12)(a) if unnecessary.

5. Crocodilian species shall not be released.

6. Mallard ducks (*Anas platyrhynchos*), and any fertile hybrids, shall not be released, in accordance with 68A-4.0052, F.A.C.

(d) Euthanasia.

1. Euthanasia of wildlife shall be humane.

2. Wildlife that dies while in the custody of the permittee shall be disposed of or offered to a museum, university or other educational facility, in accordance with Rule 68A-12.004, F.A.C.

3. Crocodilians that die or are euthanized while in the custody of the permittee shall be completely destroyed and disposed of in accordance with local laws and ordinances. The alligator harvest report form (FWC form 1001AT, effective April 30, 2000) shall be completed and signed immediately upon death of the animal and submitted to the Commission within 30 days of the animal's death. Permittees shall not receive compensation from alligator parts following the death of the animal.

4. Possession of migratory bird parts or carcasses shall be in compliance with federal regulations.

(e) Non-releasable wildlife.

1. Wildlife shall not be considered non-releasable unless such finding is approved by the Commission.

2. All wildlife deemed non-releasable shall be placed at a permitted facility. The placement shall be approved in writing by the Commission prior to the placement of such wildlife.

3. In order to be deemed non-releasable due to mal-imprinting or habituation, all of the following criteria must be met:

a. Attending rehabilitation permittee shall document in writing that that animal is mal-imprinted or habituated and steps taken by permittee to prevent such condition.

b. An independent rehabilitation permittee shall corroborate the non-releasable condition of the animal, in writing. The independent rehabilitation permittee shall make an evaluation of the animal in person. The independent rehabilitation permittee shall not be the sponsor or Apprentice of the attending rehabilitation permittee.

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- c. A veterinarian shall corroborate the non-releasable condition of the animal, in writing. The veterinarian shall make an evaluation of the animal in person.
- d. Commission personnel shall approve the non-releasable condition of the animal in writing.
- 4. In order to be deemed non-releasable due to physical impairment, all of the following criteria must be met:
 - a. Attending rehabilitation permittee shall document in writing that that animal is physically impaired.
 - b. A veterinarian shall corroborate the non-releasable condition of the animal, in writing. The veterinarian shall make an evaluation of the animal in person.
 - c. Commission personnel shall approve the non-releasable condition of the animal in writing.
- 5. Animals deemed as non-releasable shall be permanently identified by means of tattoo, brand, passive integrated transponder (PIT tag), band (birds only), photographic identification, or other method that clearly and permanently identifies that particular specimen so as to be distinguished from other specimens of the same species. Such permanent identification shall occur no more than five (5) days after animal has been transferred.
- 6. Wildlife deemed non-releasable due to mal-imprinting or habituation shall be placed with an independent entity who did not participate in the rehabilitative care of the wildlife, except as specified in subparagraph (e)7. below.
- 7. When mal-imprinted or habituated wildlife is transferred by the Commission to a rehabilitator in an attempt to correct the mal-imprinted or habituated condition and rehabilitation is unsuccessful, such non-releasable wildlife may be placed at the current rehabilitation facility, in accordance with subparagraph (e)2. above.
- 8. Facility receiving non-releasable wildlife must maintain documentation of the non-releasable status provided by the Commission for the life of the animal. Such records shall be maintained with the animal if the animal is transferred to a different facility.
- 9. If a facility that received non-releasable wildlife would like to transfer such non-releasable wildlife to a different facility, they shall contact Commission personnel to direct placement of the animal.
- 10. All non-releasable wildlife shall be maintained in enclosures that meet or exceed the minimum caging specifications in Chapter 68A-6, F.A.C., except as otherwise authorized by the Commission.
- (13) All wildlife rehabilitation permittees shall maintain records as specified below. Records shall be maintained at the permittee's facility for a period of three (3) years and shall be available to Commission personnel upon request.
 - (a) Individual intake records shall be maintained for each live animal entering the facility for treatment; except groupings of orphaned infant wildlife of the same species which were admitted on the same day may be maintained on the same record. Such intake records shall include the following:
 - 1. Species of wildlife;
 - 2. Number of animals, if in a group;
 - 3. Location where wildlife was found, to include the full address of location, if known;
 - 4. Name and contact information for the individual who found the wildlife or brought the wildlife for treatment, if known, to include phone number and/or email address;
 - 5. Cause of admission; and
 - 6. Acquisition date.
 - (b) Individual treatment records for sick or injured wildlife shall be maintained for each animal admitted to the facility for treatment, except animals released within seventy-two (72) hours or euthanized within seventy-two (72) hours of intake. Such treatment records shall include the following:
 - 1. Treatment plan, including, but not limited to, diet, medical needs, unique care requirements, and estimated length of care required for each animal;
 - 2. Name of attending veterinarian, if applicable; and
 - 3. Type of treatment performed at the rehabilitation facility.
 - (c) Care records for orphaned infant wildlife shall be maintained for all wildlife admitted to the facility for care. Groupings of orphaned infant wildlife of the same species which were admitted on the same day may be maintained on the same record. Such care records shall include the following:
 - 1. Type of care provided; and
 - 2. If utilizing off-site volunteers for temporary care, the date of transfer, name of off-site volunteer, and date of transfer back to the main rehabilitation facility.

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3. Copy of intake and care records for orphaned infant wildlife shall be maintained at the off-site volunteer's location while wildlife is temporarily housed for care.

(d) Individual disposition records shall be maintained for each animal admitted to the facility for treatment. Such disposition records shall include the following:

1. Disposition date;
2. Method of disposition (transferred, euthanized, released, deemed non-releasable, or died);
3. If transferred, the full name, facility address, type of permit, and permit number of the recipient.
4. If euthanized, method of euthanasia.
5. If released, the location of release, to include county, city, and closest cross street.
6. If deemed non-releasable, the items outlined in subparagraphs (12)(e)3 or 4, and any record provided to the rehabilitator by the Commission.

(e) Medical records concerning all wildlife for which an extension of the designated rehabilitation period is obtained.

(f) If wildlife rehabilitation permit is revoked, denied, nonrenewed, or dissolved, permittee shall have ninety (90) days after the final administrative disposition to lawfully dispose of all captive wildlife previously authorized under the wildlife rehabilitation permit. Records of final disposition for all wildlife must be maintained for one (1) year and provided to the Commission within thirty (30) days after the ninety (90) day lawful disposition period.

(14) Additional regulations.

- (a) A permit is valid when issued and expires December 31 of the second calendar year after issuance.
- (b) Commission personnel may relocate wildlife held under the authority of a wildlife rehabilitation permit at any time.
- (c) Permittees shall be subject to all provisions outlined in Rule 68A-6.003(2) and (3), F.A.C.
- (d) Permittees or their volunteers shall not require a fee associated with wildlife rehabilitation services, including but not limited to the pick-up, delivery, acceptance, or treatment of sick, injured, orphaned or otherwise impaired wildlife. This limitation shall not apply to professional fees charged by a licensed veterinarian.
- (e) Permittees or their volunteers shall not represent themselves as agents of the Commission.
- (f) Permittees or their volunteers shall not enter upon the property of another for the purpose of taking possession of wildlife unless authorized by the owner, lessee, or custodian of the property.
- (g) Volunteers of rehabilitation permittees may transport wildlife directly to or from the permitted facility for the purposes of intake, transfer, or release, including soft release.
- (h) Wildlife held under the authority of this permit shall not be exhibited. For the purposes of this rule, the following activities shall not be considered exhibition and are allowed:
 1. Live video feed that does not interfere with the proper rehabilitation of the wildlife.
 2. Photographs or videos which display rehabilitation techniques that are conducted in accordance with this rule.
- (i) Under certain emergency conditions, such as oil spills, hurricanes, floods, and other natural or manmade disasters, the Commission may impose additional restrictions or provide for permit exemptions as may be necessary to safeguard affected wildlife such as, but not limited to, the coordination and direction of rehabilitation permittees and their facilities, the assignment of zones for implementing rehabilitative services, and the authorization of additional volunteers to aid in the capture and treatment of wildlife.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-6-94, Formerly 39-9.006, Amended 8-27-09, 3-24-13, 3-24-13, 7-1-13, 8-2-22, ###-##-##.