

Wyoming Administrative Rules

Livestock Board

General Agency, Board or Commission Rules

Chapter 6: Brucellosis Risk Mitigation Activities and Compensation

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CHAPTER 6

BRUCELLOSIS RISK MITIGATION ACTIVITIES AND COMPENSATION

Section 1. Authority to Create Rules. The following rules are promulgated pursuant to Wyoming Statutes 11-19-405 through -407 and 11-18-103(a)(v).

Section 2. Definitions Used in Rules.

(a) If a term used in these rules is not defined below, refer to the Board's Chapter 2 Brucellosis Management and Mitigation rules.

(i) "Adult Brucellosis Vaccination" means the vaccination of female Bovinae over twelve (12) months of age with RB 51 vaccine following the protocol outlined in the current Brucellosis Eradication Uniform Methods and Rules (UMR) or other APHIS directive.

(ii) "Brucellosis Area of Concern" means that area as defined in the Board's Chapter 2 Rules or as amended by a Board order.

(iii) "Chapter 2 Rules" means the Board's Brucellosis Management and Mitigation rules, which establish protocol for vaccination, testing, and response for Brucellosis in Bovinae.

(iv) "Designated Surveillance Area" or "DSA" means that area as defined in the Board's Chapter 2 Rules or as amended by a Board order.

(v) "Designated Surveillance Area-Origin Bovinae" or "Bovinae originating within the Designated Surveillance Area" means Bovinae that have moved or will move from a farm, ranch, or range located within the defined boundaries of the Designated Surveillance Area.

(vi) "Mandatory Testing" means any Brucellosis testing required by the Board or USDA APHIS.

(vii) "Spaying" means any surgical procedure by which female Bovinae are rendered permanently infertile as certified by a licensed veterinarian.

(viii) "Surveillance Testing" means optional testing for Brucellosis other than that testing done to satisfy Chapter 2 Rules test requirements or USDA APHIS test requirements, including testing provided for under the terms of a Brucellosis Mitigation Plan.

(ix) "Testable Sample" means a blood sample, collected using a clean and separate needle, syringe and container, for Brucellosis testing that is received at the Wyoming State Veterinary Laboratory or other USDA APHIS approved Brucellosis testing laboratory in such condition that the tests conducted will yield valid results, as determined by the serology technicians at that laboratory.

(x) “USDA APHIS” means the United States Department of Agriculture, Animal and Plant Health Inspection Service.

Section 3. Payment Subject to Availability of Funds. All payments authorized by these rules are contingent upon the availability of funding and will be issued at the sole discretion of the Board.

Section 4. Compensation for Surveillance Testing, Spaying, and Adult Brucellosis Vaccination.

(a) To be eligible for compensation for Surveillance Testing, Spaying, and Adult Brucellosis Vaccination, the owner or manager for whom the services are rendered must have a Brucellosis Mitigation Plan, which must include a Brucellosis Risk Assessment.

(b) To be eligible for compensation for voluntary Surveillance Testing conducted on Bovinae from a Brucellosis Area of Concern, the owner or manager for whom testing is performed must have a Brucellosis Risk Assessment that determines that voluntary Surveillance Testing is warranted.

(c) Approval from the Wyoming State Veterinarian or his designee is required prior to Spaying or performing Adult Brucellosis Vaccination if compensation is sought pursuant to these rules. A Brucellosis Mitigation Plan is considered prior approval as long as the procedure is specifically listed as a part of the Brucellosis Mitigation Plan.

(d) Payments will be made directly to a Category II Accredited Veterinarian and, if applicable, an Approved Livestock Market pursuant to W.S. 11-19-407(c). The Board will make payment upon receipt of a notarized invoice indicating: (1) the number of head tested, Spayed, or Adult Brucellosis Vaccinated; (2) the ownership of the animals tested, Spayed, or Adult Brucellosis Vaccinated; and (3) the location where testing, Spaying, or Adult Brucellosis Vaccinating occurred. Invoice forms may be obtained from the offices of the Board.

(i) The compensation rate for Surveillance Testing is \$5.00 per head if the animal tested has been within the boundaries of the Designated Surveillance Area or a Brucellosis Area of Concern. However, the compensation rate is \$5.50 per head tested for Surveillance Testing at Approved Livestock Markets of Test-Eligible Bovinae originating within the Designated Surveillance Area. The Board will only pay compensation for Testable Samples that are received at the Wyoming State Veterinary Laboratory or another USDA APHIS approved Brucellosis testing laboratory in properly labeled tubes and with properly completed, legible APHIS Brucellosis test charts showing the official identification, vaccination status, age, breed, and gender of each animal represented. The reason for the test must be specified on the test chart as “DSA” or “Brucellosis Area of Concern.”

(ii) If Surveillance Testing of Test-Eligible Bovinae originating within the Designated Surveillance Area occurs at an Approved Livestock Market and that market supplies labor to move the Bovinae through the alleys and chutes, the Board will pay that market \$2.00 per head tested. If a Category II Accredited Veterinarian supplies this labor, the Category II

Accredited Veterinarian will receive this payment in addition to the \$5.50 per head for testing, and the Approved Livestock Market will not receive compensation.

(iii) The compensation rate for Spaying Bovinae originating within the Designated Surveillance Area is \$6.50 per head only if one or more of the following conditions apply:

(A) The Herd is infected with Brucellosis;

(B) The Herd is under quarantine as an adjacent or a contact Herd;

(C) The risk of exposure or transmission of Brucellosis to the Herd is high due to a documented commingling event during the period of February through June;

(D) The risk of exposure or transmission of Brucellosis to the Herd is increased due to increased numbers of elk or wild bison in the vicinity of the Herd during the period of February through June; or

(E) There is documentation that the Herd was exposed to an event of abortion or calving by elk or wild bison at any time of year.

(iv) If a Brucellosis Mitigation Plan allows Adult Brucellosis Vaccination, the compensation rate for Adult Brucellosis Vaccination of female Bovinae within the Designated Surveillance Area or a Brucellosis Area of Concern will be \$3.50 per head.

(v) The Wyoming State Veterinarian may, with Board approval, allow payment within statutory limits other than that set by the Board in subsection (d)(i), (iii), or (iv) upon written request describing the extenuating circumstances that support payment in excess of the amounts in (d)(i), (iii), or (iv).

Section 5. Compensation for Mandatory Testing.

(a) The Board will pay compensation for Mandatory Testing directly to a Category II Accredited Veterinarian and, if applicable, to an Approved Livestock Market pursuant to W.S. 11-19-407(c). The Board will make payment upon receipt of a notarized invoice indicating the number of head tested, the ownership of the animals tested, and the testing location. Invoice forms are available at the offices of the Board.

(b) The Board will only pay compensation for Testable Samples that are received at the Wyoming State Veterinary Laboratory or another USDA APHIS approved Brucellosis testing laboratory in properly labeled tubes and with properly completed, legible APHIS Brucellosis-test charts showing the official identification, vaccination status, age, breed, and gender for each animal represented. The reason for the test must be specified on the test chart as “DSA” or “Brucellosis Area of Concern.”

(c) An owner or manager is not required to have a Brucellosis Mitigation Plan or a Brucellosis Risk Assessment for the Category II Accredited Veterinarian to be eligible for compensation for Mandatory Testing.

(d) The Board will determine the amount paid for Mandatory Testing on a per-head basis and will review the payment schedule annually.

(i) For Mandatory Testing of Test-Eligible Bovinae originating within the Designated Surveillance Area, the compensation rate is \$5.00 per head tested.

(ii) For Mandatory Testing at Approved Livestock Markets of Test-Eligible Bovinae originating within the Designated Surveillance Area, the compensation rate is \$5.50 per head tested.

(iii) If Mandatory Testing of Test-Eligible Bovinae originating within the Designated Surveillance Area occurs at an Approved Livestock Market and that market supplies labor to move the Bovinae through the alleys and chutes, the Board will pay that market \$2.00 per head tested. If a Category II Accredited Veterinarian supplies this labor, the Category II Accredited Veterinarian will receive this payment in addition to the \$5.50 per head for testing, and the Approved Livestock Market will not receive compensation.

(iv) The Board will pay a Custom Slaughter Facility \$3.50 per head for each slaughtered Bovinae from which the facility collected a Testable Sample.

(e) The Wyoming State Veterinarian may, with Board approval, allow payment within statutory limits other than those set by the Board in subsection (d)(i) upon written request describing the extenuating circumstances that support payment in excess of the amount specified in (d)(i).