

## Chapter 25

### Brucellosis Quarantine Mitigation Expense Reimbursement

#### **Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules.**

**Section 1. Authority to Create Rules.** The following rules are promulgated pursuant to Wyoming Statutes 11-19-103(k) and 11-19-118(e).

#### **Section 2. Definitions Used in Rules.**

(a) “Affected Herd Management Plan” means a herd management and testing plan that is:

(i) Designed by the State Veterinarian, the herd owner, the herd owner's veterinarian if requested by the herd owner, and the United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) Veterinary Services (VS) representative;

(ii) Used to determine the disease status of animals in the herd;

(iii) Used to control and eradicate Brucellosis within the herd; and

(iv) Jointly approved by the State Veterinarian and the APHIS Area Veterinarian in Charge.

(b) “Brucellosis” means an infectious disease of animals and humans caused by *Brucella abortus*.

(c) “Mitigation Efforts” means the management efforts a herd owner must take to minimize the risk of Brucellosis spreading from an affected herd while that herd is under state Quarantine and an Affected Herd Management Plan.

(d) “Qualified Expenses” means expenses that a herd owner incurs while the herd owner's herd is under Quarantine and an Affected Herd Management Plan and that would not otherwise be incurred during the course of normal herd management.

(e) “Quarantine” means an official document issued by the State Veterinarian or his authorized representative that restricts the movement of specific Bovinae affected with or exposed to Brucellosis and that sets forth the requirements for Quarantine release.

#### **Section 3. Claim Process.**

(a) To make a claim for reimbursement of Qualified Expenses, the owner of the Quarantined herd must complete and submit the Board's application form to one of the Board's

offices at any time during the Quarantine or within 30 days after release from Quarantine for reimbursement of Qualified Expenses.

- (b) A herd owner may file only one claim per Quarantine.
- (c) The application must be accompanied by all necessary supporting documentation, including:
  - (i) Receipts for Qualified Expenses for Mitigation Efforts;
  - (ii) A description of actual Mitigation Efforts conducted;
  - (iii) Receipts for the costs of shipping or transportation specifically required to comply with the Quarantine;
  - (iv) Receipts for mileage expenses charged to the herd owner by an accredited veterinarian for tests conducted as part of the Affected Herd Management Plan;
  - (v) Verification of loss due to injury of cattle during required testing;
  - (vi) Receipts for extra labor and food provision for testing crews; and
  - (vii) Documentation of previous management history.
- (d) The State Veterinarian will consider claims on a first-filed, first-served basis.
- (e) The State Veterinarian will verify that the applicant is in compliance with all state and federal animal health and brand inspection rules and conditions outlined in the Quarantine and the Affected Herd Management Plan. Only herd owners who are in compliance are qualified to receive reimbursement.
- (f) The State Veterinarian and the Board's Director will determine whether each expense listed on the application form is a Qualified Expense and whether each expense is supported by the required documentation. If they cannot agree, the State Veterinarian will ask the Board to make a determination on the disputed expense(s).
- (g) The State Veterinarian will approve, partially approve, or reject a claim within 30 days of receiving all of the required documentation and will provide written reasons for his decision. However, if the State Veterinarian asks the Board to make a determination on disputed expense(s), he shall approve, partially approve, or reject the claim within 30 days of the Board's determination. A copy of the application form and all documentation and the State Veterinarian's decision will be presented to the State Auditor's Office and the claimant and kept on file in the Board's Cheyenne office in accordance with the Board's retention schedule.
- (h) A herd owner may appeal the State Veterinarian's decision on his claim to the Board in accordance with W.S. 11-19-103(g).