Pennsylvania State Board of Veterinary Medicine Newsletter

March/April 2009 dos.state.pa.us

Updated Dog Law Introduces Boarding Kennel Licenses

On Oct. 9, 2008, Governor Rendell signed House Bill 2525. It requires all veterinarians who operate a boarding kennel to obtain a boarding kennel license from the Department of Agriculture, Bureau of Dog Law Enforcement. These provisions became effective Dec. 8, 2008. The new licensure year began on Jan. 1, 2009.

The law defines a "boarding kennel" as "any establishment available to the public where a dog or dogs are housed for compensation by the day, week or a specified or unspecified time." The term specifically includes "any boarding kennel operated by a licensed doctor of veterinary medicine whether or not this facility is on the same premises as a building or structure subject to the provisions of the Veterinary Medicine Practice Act."

The definition, however, exempts "...a kennel where the practice of veterinary medicine is performed if the kennel is covered by the provisions of the act...known as the 'Veterinary Medicine Practice Act." Thus, it does not include the area where hospitalized animals are housed. An animal is hospitalized if it is receiving veterinary care, recovering from a veterinary medical procedure, or awaiting a veterinary medical procedure.

The Pennsylvania Department of Agriculture interprets these definitions to mean that any veterinarian-owned boarding kennel that is separate from the veterinary practice requires a boarding kennel license. This would include any boarding kennel in a separate building. It would also include a separate boarding area under the same roof as the veterinarian's practice if that area is used to board dogs owned by the general public. A veterinarian who has a separate boarding area that is used only to temporarily house animals that belong to clients of the veterinary practice will not be required to have a separate boarding kennel license.

Because a veterinarian is familiar with the health status of his or her patients, the Board of Veterinary Medicine believes that the standards of acceptable and prevailing veterinary medical practice require veterinarians to separately house client-owned animals and boarded animals. Therefore, a veterinarian may not avoid the licensure requirement by boarding animals for the public alongside hospitalized patients.

The Dog Law provides for three classes of boarding kennel licenses:

- Class I licenses are required for boarding kennels that have the capacity to accommodate a total of one to 10 dogs at any time during a calendar year. The fee for a Class I license is \$100 per year.
- Class II licenses are required for boarding kennels that have the capacity to accommodate a total of 11 to 25 dogs at any time during a calendar year. The fee for a Class II license is \$150 per year.
- Class III licenses are required for boarding kennels that have the capacity to accommodate more than 26 dogs at any time during a calendar year. The fee for a Class III license is \$250 per year.

Additional provisions of note in the amended Dog Law include the recordkeeping requirements for kennels. Each kennel must maintain, for two years, a record of each dog at any time kept in the kennel. The records must include the following:

- breed, color, markings, sex and age of each dog,
- date on which the dog entered the kennel,
- the purpose for the dog being in the kennel.
- the date on which the dog leaves the kennel,
- how the dog is dispensed,
- the name, address and telephone number of the veterinarian used by the kennel.

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The kennel license must be conspicuously displayed. Licensed kennels are to be inspected at least twice each year by agents of the Bureau of Dog Law Enforcement.

Kennels must develop and follow an appropriate plan to provide dogs with the opportunity for exercise. A veterinarian must approve the plan.

Veterinarians who board dogs should immediately apply for a boarding kennel license. Once the application has been made, the veterinarian's boarding kennel will be subject to inspection by an agent of the Bureau of Dog Law Enforcement. A kennel license will be required to board animals beginning on Jan. 1, 2009.

All kennels must be equipped with smoke alarms or fire extinguishers. Housing facilities shall be equipped with fire extinguishers on the premises. Indoor housing facilities may have a sprinkler system. Following inspection, the boarding kennel license may be issued. Once the 60-day period has passed, a veterinarian is prohibited from boarding dogs until a boarding kennel license has issued.

Information regarding applying for a boarding kennel license may be obtained from www.agriculture.state.pa.us.

Meet Our New Member

David R. Wolfgang, VMD Diplomate ABVP-Dairy

David Wolfgang is a native of central Pennsylvania. He is a 1982 graduate of the University of Pennsylvania School of Veterinary Medicine.

He was in mixed animal private practice in Shippensburg from 1982 through June 1993, and in Warriors Mark from June 1993 through October 1995. Both practices had an emphasis on large animals.

Since 1995 he has been director of field investigations and extension veterinarian in the Department of Veterinary and Biomedical Sciences at Penn State. Wolfgang has been active in local and state veterinary

organizations. He was president of the Pennsylvania State Veterinary Medical Association (PVMA) 2006. He serves as chair of the National Mastitis Council-Residue Avoidance Committee.

Wolfgang is chair of the Continuing Education Committee for PVMA. He has been the director for the past four Dairy Production Medicine (DPM) certificate programs (offered as a joint CE program by Penn State and the University of Pennsylvania).

His primary area of professional emphasis has been to encourage cost-effective preventative health and diagnostic programs for livestock species.

Wolfgang is married and he and his wife, Ann, have two sons, Matt (21) and Chris (19). He is active in church and community activities. He has served as coach for soccer and baseball, and as a referee in soccer.

Wolfgang has been active in Boy Scouts over the past 11 years. He has served as cubmaster, assistant scoutmaster and scoutmaster in Troop 32, Juniata Valley Council BSA.

Wolfgang also is a certified lay speaker within the United Methodist Church. He served on the board of Ordained Ministry for the Central Pennsylvania Conference of the United Methodist Church, 2001-2005.

He made two trips to Afghanistan for USAID to support efforts for reconstruction and development of agricultural infrastructure.

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