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**Agriculture & Natural Resources  
Committee**

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**SSB 5202**

**Brief Description:** Creating the companion animal safety, population control, and spay/neuter assistance program.

**Sponsors:** Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Chase, Kohl-Welles, Conway, Shin, Nelson, Darneille, Frockt, McAuliffe, Keiser, Kline, Harper and Rolfes).

**Brief Summary of Substitute Bill**

- Creates a spay/neuter assistance program within the Department of Health to pay for spaying and neutering of dogs and cats owned by low income individuals, as well as feral and free-roaming cats.
- Authorizes animal care and control agencies to add up to \$1 to each pet license to fund the program.

**Hearing Date:** 3/27/13

**Staff:** Cherlyn Walden (786-7296).

**Background:**

Animal Care and Control Agencies.

Animal care and control agencies include any city or county animal control agency authorized to enforce city or county municipal ordinances regulating the care, control, licensing, or treatment of animals within the city or county, as well as any humane society that contracts with a city or county to enforce ordinances governing animal care and control [RCW 16.52.011(c)]. Animal care and control agencies and nonprofit humane societies may provide free limited veterinary services to animals owned by qualified low income households [RCW 18.92.260]. These limited veterinary services include electronic identification, surgical sterilization, and vaccinations, and

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must be performed by a veterinarian or a veterinary technician acting within his or her scope of practice [RCW 18.92.260].

### **Summary of Bill:**

Effective January 1, 2014, the Department of Health (DOH) is required to administer a new program, the companion animal safety, population control, and spay/neuter assistance program, to assist low income residents in spaying or neutering their cats and dogs (companion animals). The DOH is required to:

- enroll spay and neuter surgery providers;
- publicize the program and the names and locations of participating spay and neuter surgery providers;
- establish eligibility criteria and procedures for screening companion animal owners and caretakers of feral and free-roaming cats;
- obtain the greatest number of spay and neuter surgeries that can be accomplished;
- maximize the ease of application and receipt of spay/neuter services;
- actively promote the program and the public about companion animal overpopulations issues; and
- set copayment amounts for spay or neuter surgeries.

### Eligibility Requirements.

In order for a companion animal to be eligible for the program, it must be: owned by qualified low income individuals; a feral or free-roaming cat; or not owned by individuals but in the possession of animal shelters, animal care and control agencies, or other animal welfare organizations. A companion animal without an owner that is transferred from outside the state is not eligible.

The DOH may contract with organizations with relevant expertise to accomplish the purposes of the program. State agencies including, but not limited to, the Department of Social and Health Services and the Washington State Health Care Authority are required to work cooperatively with the DOH to facilitate the development of screening procedures for determining the eligibility of low-income applicants to participate in the program.

Licensed veterinarians, animal care and control agencies, and nonprofit organizations whose services include performing spay and neuter surgeries on companion animals are eligible to apply to the DOH to participate in the program. Service providers must:

- submit an application to the DOH that includes a schedule listing the fees charged for spay/neuter services in its normal course of business;
- provide a fee schedule for various categories of sterilization categories; and
- provide reasonable documentation of direct and indirect costs of performing surgical sterilization.

### Funds and Funding Requirements.

The program will be funded by a companion animal licensing fee, not to exceed \$1 per license, issued by animal care and control agencies, and by charitable gifts. Fees must be deposited into a new Companion Animal Spay/Neuter Assistance Account administered by the State Treasurer.

The DOH may expend funds to:

- fund spay or neuter surgeries on companion animals belonging to low-income individuals;

- pay for presurgical examinations and vaccinations of companion animals; and
- fund spay or neuter surgeries on companion animals in the possession of animal shelters, animal care and control agencies, and other animal welfare organizations.

The DOH is required to:

- reimburse spay and neuter providers based upon the provider's normal fee schedule, provided that the normal fee schedule does not exceed a fee that is usual customary and reasonable;
- determine a usual customary and reasonable fee by calculating the 70th percentile rate, based upon the DOH's review of prevailing fees for similar services;
- establish separate rates of compensation for the reasonable costs of surgical sterilization provided by animal care and control agencies and nonprofit organizations;
- adjust rates of compensation at two-year intervals;
- provide payment to providers on a monthly basis;
- adopt policies and procedures regarding copayment and provider rate determinations; and
- expend at least 90 percent of funds on payment to spay/neuter surgery providers.

#### Reporting Requirements.

The DOH must prepare and submit an annual report to describe and evaluate the program's performance and impact over the previous year and cumulatively since the program's inception. The first report must be submitted to the Governor and Legislature no later than April 30, 2015. The report must include: the number of spay and neuter surgeries performed by individual surgery providers, the number of surgeries performed within each county, and the number performed statewide; the number of dogs and cats received by animal shelters and the sources and fates of those animals by shelter, by county, and statewide; program revenue and expenditures; effectiveness, efficiency, and accomplishment of objectives; and recommendations for legislative or administrative actions as the DOH deems appropriate.

To assist the DOH in evaluating the impact of the program, a variety of animal care and control organizations are required to report the number of animals received, where the animals came from, and their fates. Animal shelters that fail to report may be disqualified from receiving moneys at the discretion of the DOH.

#### Falsification of information.

A person who knowingly falsifies the following information is guilty of a misdemeanor and may be suspended from participation in the program: individual and household income or ownership of a pet in order to qualify for pet sterilization; prevailing fees and rates charged for spay and neuter surgeries, presurgical examinations, and vaccinations; or payment requests submitted to the Department for performance of services.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** This bill takes effect January 1, 2014.