



## MEMORANDUM

---

**DATE** July 10, 2013

---

**TO** Veterinary Medical Board

---

**FROM** Sue Geranen Executive Officer  
DCA/Veterinary Medical Board

---

**SUBJECT** **Animal Control Officer Training Proposal**

---

**Background:**

SB 1162, Chapter 594, became effective January 1, 2013. This bill allows animal control officers to carry controlled substances for purposes of tranquilizing animals but imposes some prerequisite requirements. One of the requirements is that the officers undergo "training approved by the Board."

The California Veterinary Medical Association has prepared a draft training guide for the Board's review.

**Action Requested:**

Update report - no action requested.

# California Training on the Use of Controlled Substances for Animal Control and Humane Officers

## I. Introduction

Effective January 1, 2013, humane officers and animal control officers may possess and administer tranquilizers provided certain statutory requirements are met. These requirements were enacted into law in 2012 by Senate Bill 1162 in response to a 2011 opinion issued by the Attorney General of the State of California that stated that, under then-current law, animal control officers<sup>1</sup> could not possess and administer controlled substances in the field without "contemporaneously consulting, and receiving direction from," a veterinarian.

Unfortunately, the Attorney General's interpretation of the then-current law does not comport with the reality of managing domestic and wild animals in the field under circumstances that are often extreme and dangerous. Many officers – particularly those working in rural areas that span a large geographic area – may have to wait several hours before a veterinarian can arrive at the scene. This can leave an officer with no alternative but to kill a dangerous animal. Humane law enforcement necessitates that animal control and humane officers be empowered to handle animal-related emergencies in a manner that is prompt and causes no more harm to the animal than is necessary to manage the situation. SB 1162, by its amendments to Section 597.1 of the Penal Code, fulfills that need.

This document is the outline for the training required under Section 597.1(a)(2)(A) of the Penal Code and has been approved by the California Veterinary Medical Board for such purpose.

### a. Summary of Requirements

#### i. Who is allowed to provide the training?

Only a **licensed veterinarian** is permitted to provide the training. By definition, this would exclude, for example, a veterinarian affiliated with a college of veterinary medicine that may lawfully practice veterinary medicine without a license under Business and Professions Code § 4830. [Penal Code § 597.1(a)(2)(A)]

#### ii. Who needs to be trained?

Any **animal control officer** or **humane officer** who wants the ability to possess and administer controlled substances. [Penal Code § 597.1(a)(2)]

---

<sup>1</sup> Because the opinion requested of the Attorney General pertained to animal control officers only, the Attorney General did not consider whether humane officers required direct supervision to possess and administer controlled substances. Presumably, the Attorney General would have rendered the same opinion regarding a humane officer.

iii. How long must the training be?

The training must be a minimum of **four hours**.

iv. What is the trainer required to do?

1. Cover **all the material** in this document.
2. Administer an **examination** upon completion of the required curriculum that includes all controlled substances that may be used by the officer during his or her employment with the agency or organization.
3. Issue a signed **certificate** of training to each student that successfully completes the course.

v. In addition to this training, what other requirements must the officer meet to be eligible to possess and administer controlled substances?

1. **PC 832 Course (Firearms-Component only)**. Officer must complete the firearms-component of the Penal Code § 832 course. This 24-hour course includes a firearms range qualifications examination. The Commission on Peace Officers Standards and Training website (<http://www.post.ca.gov/>) lists upcoming courses. [Penal Code § 597.1(a)(2)(B)]

2. **Official Policy**. The agency or organization must have a policy regarding the possession and administration of the tranquilizer to be used and that policy must be approved by the veterinarian who obtained the controlled substance.

*Note: Although the statute does not specify that the policy must be in writing, best practices would dictate that this policy, the veterinarian's approval, and the (below) agency authorization be in writing. [Penal Code § 597.1(a)(2)(C)]*

3. **Agency Authorization**. Officer must be specifically authorized by his or her agency or organization to possess and administer the tranquilizer in accordance with the official policy. [Penal Code § 597.1(a)(2)(C)]

4. **Euthanasia Training**. Officer must complete the euthanasia training set forth in Section 2039 of Title 16 of the California Code of Regulations.

*Note: The State Humane Association of California and the California Animal Control Directors Association list many of the available trainings on their websites ([www.californiastatehumane.org](http://www.californiastatehumane.org)) and ([www.cacda.org](http://www.cacda.org)). [Penal Code § 597.1(a)(2)(D)]*

5. **Fingerprinting**. Officer must complete state and federal fingerprinting background check.

*Note: All humane officers and some animal control officers have already completed state and federal fingerprinting background checks as a condition of appointment (humane officers) or employment (animal control officers). [Penal Code § 597.1(a)(2)(E)]*

6. **No Alcohol/Drug-Related Convictions.** Officer may not have any drug- or alcohol-related convictions. [Penal Code § 597.1(a)(2)(E)]

## **II. General**

*The training must include a basic understanding of what substances qualify as “controlled”; include substances that will be used by the agency; and how to understand and read weights and measures.*

### **a. Definition of “Controlled Substance”**

- vi. Students must be familiar with the most current federal and California definitions of a controlled substance and how and why these substances are placed in their various schedules and classifications.
- vii. Required Reference:
  1. Drug Enforcement Administration: Controlled Substances Act, of 1970, as may be amended.
  2. California Health and Safety Code: section 11007 and sections 11054-11058, as may be amended.

### **b. Identification of specific drugs that will be used by the agency**

- i. Each controlled substance that will be authorized by the agency for use in chemical capture/immobilization must be reviewed during the training.
  1. If an agency wishes to authorize the use of a controlled substance by an officer after this training has been completed, the officer must receive training from a veterinarian in the use of that substance and the policy must be updated accordingly.
  2. Any additional training must be documented by the agency.
- ii. Each student must be familiar with the type of drug used, its DEA schedule classification and any hazards associated with exposure to the substance being considered.
- iii. All controlled substances used by the agency and reviewed during the training must be accompanied by the appropriate Material Safety and Data Sheet (MSDS). Each MSDS should

be reviewed to provide the students with procedures for handling or working with that substance in a safe manner.

**c. Understanding of common units of measure**

- i. Students should understand common units of measure for both weight and volume, their abbreviations, and how they relate to one another.  
ex: ml, cc, oz, lb, Kg, g  
ex: 1 ml=1cc, 16 oz = 1lb
- ii. Students should be familiar with the syringes and darts that will be used for delivery of the controlled substance; how to determine their carrying capacity; and how to read and understand their labeling.
- iii. Students should be familiar with the bottles and containers that hold the controlled substances; how to read the label; and how to determine their volume and the amount of substance contained therein.

### **III. Use of Tranquilizers Containing Controlled Substances**

*The training must include all of the following for each drug and administration route available to the officer and for each species that is likely to be tranquilized in the field.*

**a. Understand the classification and the method of action of each drug**

**b. Understand common drug combinations / mixtures**

- i. Advantages / disadvantages of drug combinations
- ii. Altered / enhanced effect of individual drugs in the mixture
- iii. How to formulate and store the mixture
- iv. How long the mixture remains effective – expiration date of the mixture

**c. Be able to determine which drug or combination/mixture is appropriate for each situation and species**

- i. An understanding of how the following factors can affect the choice of drug(s) and dosage:
  - 1. Age of the animal
  - 2. Animal's condition (emaciated, weak, etc.)
  - 3. Animal's temperament (agitated, frightened, aggressive, depressed, etc.)
  - 4. Duration of effect
  - 5. Contraindications and precautions for various species or situations
  - 6. Drug side effects
  - 7. Reversing agents

**d. Understand the method and route of administration**

- i. Be proficient with the equipment available to administer drugs, and has an understanding of the advantages and disadvantages of each method, including:
  1. Syringe and needle
  2. Pole syringe
  3. Dart (tranquilizer) gun
  4. Blow gun
- ii. Be proficient at each route of administering drugs and has an understanding of the advantages and disadvantages of each route, including:
  1. Intramuscular
  2. Subcutaneous
  3. Intravascular
  4. Intraperitoneal
  5. Intracardiac
- iii. Understand species differences when determining the appropriate method and route of administering tranquilizing drugs.
- iv. Understand potential complications with each method and route of drug administration

**e. Be able to calculate the proper drug dosages for each drug and species. The training should include how to calculate a drug dosage with a consideration of the following:**

- i. How to estimate the animal's weight
- ii. How to estimate the animal's age
- iii. An understanding of how the animal's condition (emaciated, weak, etc.) will affect drug dosage
- iv. An understanding of how the animal's temperament (agitated, frightened, aggressive, depressed, etc.) will affect drug dosage
- v. An understanding of species variations relative to each drug
- vi. Why the calculated dosage may be different than the label dosage
- vii. How to identify drug overdose or drug reactions
  1. Have an understanding of the signs of a drug overdose or drug reaction
  2. Learn the proper steps to reverse the overdose, if available, including dosage and route of administration
  3. Proficient in providing supportive care in the event of a drug overdose or drug reaction

4. Be able to identify when an animal requires veterinary care as a result of tranquilization complications

#### **IV. Caring for Tranquilized Animals**

*The training must include a thorough understanding of normal and abnormal signs and behavior as well as how to care for an animal that is tranquilized in the field.*

- a. Be proficient in identifying normal and abnormal behavior for tranquilized animals**
- b. Understand normal supportive care required for a tranquilized animal, such as:**
  - i. Temperature control
  - ii. Maintaining an open airway
  - iii. How to protect the eyes of a tranquilized animal
  - iv. Other supportive care.
- c. Be able to identify the signs of drug overdosage or drug reaction**
  - i. Have an understanding of the signs of a drug overdose or reaction
  - ii. Learn the proper steps to reverse the overdose or treat the drug reaction if possible
  - iii. Be able to provide supportive care for the animal when needed
  - iv. Be able to identify when an animal requires veterinary care as a result of complications due to tranquilization
- d. Be proficient at administering CPR for various species**
- e. Be proficient in properly and safely transporting a tranquilized animal**

#### **V. Federal Laws Governing the Use of Controlled Substances**

*The training must include information regarding the Federal Control Substances Act and the regulations promulgated by the Drug Enforcement Agency related to the use of controlled substances.*

- a. Federal Controlled Substances Act and Regulations:** Federal laws governing who is able to possess and administer controlled substances, drug schedules, registration, penalties for violation, etc.
  - i. Statutes: 21 U.S.C. 801 et seq:

- ii. Regulations: 21 CFR 1300 – 1399

Full text can be found on the DEA's website: [www.deadiversion.usdoj.gov](http://www.deadiversion.usdoj.gov).

#### **b. Registration**

- i. A separate registration is required for each principal place of business where controlled substances are manufactured, distributed, imported, exported or dispensed. 21 U.S.C 822(a); 21 CFR 1301.12

#### **c. Persons Authorized to Possess Controlled Substances**

- i. Practitioners who are registered with the DEA. 21 U.S.C 822(b)
  - 1. Practitioner is defined as a “physician, dentist, veterinarian, scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by the jurisdiction in which he practices to administer a controlled substance”. 21 U.S.C. 801 (21)

#### **d. Persons Authorized to Administer Controlled Substances**

- i. Practitioner who is agent or employee of registered practitioner who is authorized or permitted to administer controlled substances by the jurisdiction in which he or she practices. 21 CFR 1301.22

#### **e. Recordkeeping and Inventory Control**

- i. Understand “closed” system required by the DEA.
- ii. Controlled Drug Logs
  - 1. Practitioner registered with the DEA is responsible for maintaining drug logs on each controlled substance in his/her possession.
    - There must be an **individual drug log** for each controlled substance that includes the name of the drug, schedule, form and strength and the date, name and address of the client, species of animal, name of animal, practitioner ordering the drug and administering the drug the amount held over, used and final amount remaining. 21 CFR 1304.22
- iii. Biennial Inventory: Practitioner registered with the DEA must prepare a biennial inventory of all controlled substances in inventory. 21 CFR 1304.11
- iv. Monitor losses: Regularly compare the actual amount on hand with the amount indicated in your log to make sure they match. If there is a significant difference, you must notify the DEA and the local police of the loss. Correcting entries should be made into your log to account for measurement errors. (See section V i – Loss or Theft of Controlled Substances)

*Note: Recordkeeping and inventory are the responsibility of the veterinarian, who is the DEA licensee. Regardless, the officer should be aware of the requirements and work with the veterinarian to ensure compliance.*

**f. Physical Security Controls**

Controlled substances in Schedules II, III, IV and V must be stored in a securely locked substantially constructed cabinet. 21 CFR 1301.75. In the field, they should be stored in a locked cabinet that is physically attached to an inside area of the officer's vehicle.

**g. Access to Controlled Substances**

Any person convicted of a felony offense relating to controlled substances or who at any time had an application for DEA registration denied, revoked or surrendered cannot have access to controlled substances. 21 CFR 1301.76

**h. Disposal**

- i. Excess drugs should be placed in an injection bottle, vial or ampule that is used specifically for that purpose and labeled as "Waste Controlled Substance". The container must be stored in a securely locked substantially constructed cabinet until disposed of through an authorized reverse distributor.
- ii. Outdated or otherwise unwanted scheduled drugs should be given to a reverse distributor for destruction.

*Note: Contact your local DEA field office for a list of authorized reverse distributors.*

**i. Loss or Theft of Controlled Substances**

- iii. Monitor losses: Regularly compare the actual amount on hand with the amount indicated in your log to make sure they match. Make correcting entries as needed.
- iv. If there is a theft or significant loss, you must:
  - 1. Within one business day of the discovery of the loss or theft, notify *in writing* the Field Division Office of the DEA in the area where the registrant is located. 21 CFR 1301.76
  - 2. Submit to the Field Division Office a DEA Form 106. 21 CFR 1301.76
  - 3. Notify local police agency

## VI. Supervision

*The training must include information regarding the level(s) of supervision by a veterinarian permitted by the agency*

- a. The animal control or humane officer is permitted to administer controlled substances under the direct or indirect supervision *as determined* by a licensed veterinarian pursuant to the following:
  - v. **Penal Code 597.1 section (a)(2):** Notwithstanding any other law, if an animal control officer or humane officer, when necessary to protect the health and safety of a wild, stray, or abandoned animal or the health and safety of others, seeks to administer a tranquilizer that contains a controlled substance, as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, to gain control of that animal, he or she may possess and administer that tranquilizer with direct or indirect supervision as determined by a licensed veterinarian.
  - vi. **Cal. Code Regs., tit. 16 § 2032.1 subd. (a):** : Except where the patient is a wild animal or its owner is unknown, it shall constitute unprofessional conduct for a veterinarian to administer or prescribe a drug, medicine, appliance, or application or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture or bodily injury or disease of an animal without having first established a veterinarian-client-patient relationship with the animal patient or patients and the client. It shall also constitute unprofessional conduct for a veterinarian to prescribe, dispense, or furnish either a veterinary drug, as defined by Section 1747.1, Title 16, California Code of Regulations, or a dangerous drug, as defined by Section 4022 of the code, without having first established a veterinarian-client-patient relationship with the animal patient or patients and the client.
  - vii. **Cal. Code Regs., tit. 16 § 2034 subd. (e):** "Direct Supervision" means: (1) the supervisor is physically present at the location where animal health care job tasks are to be performed and is quickly and easily available; and (2) the animal has been examined by a veterinarian at such time as good veterinary medical practice requires consistent with the particular delegated animal health care job task.
  - viii. **Cal. Code Regs., tit. 16 § 2034 subd. (f):** "Indirect Supervision" means: (1) that the supervisor is not physically present at the location where animal health care job tasks are to be performed, but has given either written or oral instructions ( "direct orders") for treatment of the animal patient; and (2) the animal has been examined by a veterinarian at such times as good veterinary medical practice requires, consistent with the particular delegated animal health care task and the animal is not anesthetized as defined in Section 2032.4.

The official policy of each agency should clearly state whether an officer is permitted to administer controlled substances under direct supervision, indirect supervision, or if the level of supervision will be determined on a case-by-case basis.

## **VII. Examination and Certification**

### **a. Examination**

The trainer shall administer an examination at the end of the training that covers the required curriculum, including information about each controlled substance that may be used by the officer in his or her employment with the agency or organization. The examination may be oral or written and must demonstrate to the satisfaction of the trainer that the officer is competent to possess and administer tranquilizers in a safe and humane manner.

### **b. Certification**

Upon successful completion of the course, the trainer shall issue a signed certificate verifying that the student completed the course.

## **VIII. Suggestions and Best Practices on Implementation of These Guidelines**

### **a. Recordkeeping – Students must be familiar with the recordkeeping requirements pursuant to**

- ix. Drug Enforcement Administration, as may be amended
- x. California Code of Regulations, as may be amended

### **b. Written Protocols and Policies**

- i. Students should be familiar with the requirement that the agency establish a policy authorizing the use of controlled substances, and be provided guidance, examples, or templates of such policies.
- ii. Agencies should be encouraged to write protocols outlining the procedure for use and administration of a controlled substance, and be provided examples or templates of such protocols.

### **c. Training Updates**

- i. Animal control and human officers should regularly review the training materials to ensure familiarity with the information and methodology.
- ii. Animal control and human officers that will use firearms and/or devices that shoot projectiles should develop a regular schedule where they can practice their marksmanship and maintain familiarity with how the equipment works.

- iii. Any new controlled substances that were not reviewed in the original training should be reviewed thoroughly with a veterinarian prior to their use.
  - 1. These new substances must also be incorporated into the existing policy and procedure prior to use.
  
- d. Reference Material - Each student should be provided with a manual that contains the materials reviewed in the training, including, but not limited to:
  - i. Clearly marked sections for each category required in the training and a table of contents and/or index.
  - ii. Tables and diagrams that explain and review the information presented.
  - iii. Quick reference guide for dosages and common questions or situations.
  - iv. References for the source materials presented, including relevant governing laws/regulations.
  - v. References to best practice publications.
  - vi. Templates/examples of forms, policies, and procedures.

## IX. Resources

### U.S. Drug Enforcement Administration

1. Practitioner's Manual  
<http://www.deadiversion.usdoj.gov/pubs/manuals/pract/index.html>  
  
PDF version -  
[http://www.deadiversion.usdoj.gov/pubs/manuals/pract/pract\\_manual012508.pdf](http://www.deadiversion.usdoj.gov/pubs/manuals/pract/pract_manual012508.pdf)
2. Security Outline of the Controlled Substances Act of 1970  
<http://www.deadiversion.usdoj.gov/pubs/manuals/sec/index.html>
3. Code of Federal Regulations, Section 1304 -  
<http://www.deadiversion.usdoj.gov/21cfr/cfr/2104cfrt.htm>
4. Section 1304.11 – Inventory Requirements -  
[http://www.deadiversion.usdoj.gov/21cfr/cfr/1304/1304\\_11.htm](http://www.deadiversion.usdoj.gov/21cfr/cfr/1304/1304_11.htm)
5. Section 1304.22 Records for manufacturers, distributors, dispensers, researchers, importers and exporters. Specifically for dispenser - sub-section (c)  
[http://www.deadiversion.usdoj.gov/21cfr/cfr/1304/1304\\_22.htm](http://www.deadiversion.usdoj.gov/21cfr/cfr/1304/1304_22.htm)
6. Code of Federal Regulations, Section 1301 – Separate Registrations for Separate Locations -  
[http://www.deadiversion.usdoj.gov/21cfr/cfr/1301/1301\\_12.htm](http://www.deadiversion.usdoj.gov/21cfr/cfr/1301/1301_12.htm)
7. Section 1301.75(b) Physical security controls for practitioners -  
[http://www.deadiversion.usdoj.gov/21cfr/cfr/1301/1301\\_75.htm](http://www.deadiversion.usdoj.gov/21cfr/cfr/1301/1301_75.htm)

### Veterinary Medical Board

1. Controlled Substances FAQ for California Licensed Veterinarians -  
[http://vmb.ca.gov/licensees/controlled\\_subs.shtml](http://vmb.ca.gov/licensees/controlled_subs.shtml)