

**NEW YORK STATE DEPARTMENT OF HEALTH  
BUREAU OF NARCOTIC ENFORCEMENT**

**Controlled Substance Authorization  
for Incorporated Societies for the Prevention of Cruelty to Animals  
and  
Municipal Animal Control Facilities  
for the  
Euthanasia of Animals**

New York State Department of Health  
Bureau of Narcotic Enforcement  
Riverview Center  
150 Broadway  
Albany NY 12204

Email Inquiries: [narcotic@health.ny.gov](mailto:narcotic@health.ny.gov)

Phone (866) 811-8957

<https://www.health.ny.gov/professionals/narcotic/>

This document outlines the general requirements and best practices to engage in euthanasia activity of animals. This document is not designed to provide all encompassing details regarding how to meet the requirements. Each certificate holder will have needs and conditions that are specific and unique to them and their facilities.

It is incumbent upon the applicant, certificate holder, and employees to fully familiarize themselves with all applicable federal, state, and local laws and regulations. This document will focus on the requirements found within New York State Public Health Law Article 33 and Title 10 Part 80.134. The most current versions can be found through a link on our website, located at:  
[https://www.health.ny.gov/professionals/narcotic/laws\\_and\\_regulations/](https://www.health.ny.gov/professionals/narcotic/laws_and_regulations/).

This document also provides the instructions on how to complete the forms and applications you will be required to submit. Current versions of these forms can be found on our website, located at:  
<https://www.health.ny.gov/professionals/narcotic/forms.htm>.

## **Forms and Applications**

*Application for Registration of an Incorporated Society or Municipal Animal Control Facility to Euthanize Animals (DOH-4333)*

*Application for Registration as a Controlled Substance Agent for a Facility Certified for Euthanasia of Animals (DOH-5273)*

*Application for Certification as Euthanasia Technician for Animals (DOH-4332)*

*Application for Renewal of Certification as a Euthanasia Technician for Animals (DOH- 5274)*

*Quarterly Controlled Substance Inventory Form for Humane Societies (DOH-4331)*

## **Additional Helpful Websites**

Federal Drug Enforcement Agency – Title 21 Food and Drugs, Chapter II, Parts 1300 – 1399

[https://www.ecfr.gov/cgi-bin/text-idx?SID=62cb079887eda276a8ae2b118b8f34d7&mc=true&tpl=/ecfrbrowse/Title21/21cfrv9\\_02.tpl#0](https://www.ecfr.gov/cgi-bin/text-idx?SID=62cb079887eda276a8ae2b118b8f34d7&mc=true&tpl=/ecfrbrowse/Title21/21cfrv9_02.tpl#0)

New York State Department of Health Bureau of Narcotic Enforcement – Licensing & Certification

[https://www.health.ny.gov/professionals/narcotic/licensing\\_and\\_certification/](https://www.health.ny.gov/professionals/narcotic/licensing_and_certification/)

New York State Education Department – Veterinary Medicine <http://www.op.nysed.gov/prof/vetmed/>

New York State Education Department – Article 135, 6705 regarding Euthanasia Technicians

<http://www.op.nysed.gov/prof/vetmed/article135.htm>

New York State Agriculture and Markets – Guidelines for Standards of Care in Animal Shelters

[https://www.agriculture.ny.gov/rfps/RFP0165/ASV\\_Guidelines.pdf](https://www.agriculture.ny.gov/rfps/RFP0165/ASV_Guidelines.pdf)

New York State Agriculture and Markets – Shelter Care Checklists: ASV Guidelines Into Action

[https://www.agriculture.ny.gov/rfps/RFP0165/ASV\\_Guideline\\_Checklist.pdf](https://www.agriculture.ny.gov/rfps/RFP0165/ASV_Guideline_Checklist.pdf)

New York State Agriculture and Markets – Article 26, 374 Humane destruction or other disposition of animals lost, strayed, homeless, abandoned, or improperly confined or kept

<https://law.justia.com/codes/new-york/2015/agm/article-26/374/>

American Veterinary Medical Association

<https://www.avma.org/Pages/home.aspx>

Association of Shelter Veterinarians

<https://www.sheltervet.org/>

Incorporated societies for the prevention of cruelty to animals (SPCA) and municipal animal control facilities may apply to the department for registration to purchase, possess and dispense sodium pentobarbital to euthanize animals and ketamine hydrochloride to anesthetize animals prior to euthanasia. An **agent** is assigned by the society or facility and must also apply for registration with the department. A certified **euthanasia technician**, a person other than the agent, must also apply to the department for certification as summarized below. All requirements, certification, registration, and the utilization of controlled substances in animal control facilities are stated in [Section 80.134 of Title 10 regulations](#). Registrations and certifications are valid for a three-year period. No fees are required.

## **Section 80.134 – Authorization for the purchase, possession and dispensing of sodium pentobarbital to euthanize animals and ketamine hydrochloride to anesthetize animals for euthanasia**

### **Definitions**

- An incorporated society for the prevention of cruelty to animals (society/facility) shall include any incorporated humane society or incorporated society for the prevention of cruelty to animals that is dedicated to the care of animals, having facilities for the care and eventual disposition of animals, within the State, that is exempt from taxes pursuant to paragraph (3) of subsection (c) of section 501 of the federal Internal Revenue Code, 26 U.S.C. 501, or any subsequent corresponding sections of the federal Internal Revenue Code.
- Municipal animal control facility (facility) shall include any pound or shelter maintained by or under contract or agreement with any county, city, town or village within the State.
- Solution shall mean:
  - a premixed solution of sodium pentobarbital, manufactured only and specifically for the euthanasia of animals, which contains such other ingredients as to place such solution within schedule III of the Controlled Substances Act (Article 33, Public Health Law);
  - schedule II sodium pentobarbital; and
  - ketamine hydrochloride only for the purpose of anesthetizing animals for euthanasia
- An **agent** is a person or persons other than a licensed veterinarian appointed by the incorporated society or facility, and duly registered with the department, authorized to purchase, possess and dispense ketamine hydrochloride only to anesthetize animals for euthanasia, and sodium pentobarbital to euthanize animals.
- A **Euthanasia Technician** is a person certified and registered by the department to administer a solution for euthanasia of animals.

### **Authorized Activity**

- An incorporated society for the prevention of cruelty to animals (SPCA) or municipal animal control facility (MACF) that is engaged in euthanasia of animal activity **must** register with the Department of Health.
- The SPCA or MACF **must**, by application, register an agent with the Department of Health to purchase, possess, and dispense a controlled substance.
- The SPCA or MACF and its agent must also register with the Federal Drug Enforcement Administration (DEA) in the appropriate controlled substance schedule.
- Agents may purchase controlled substances only from distributors that hold a Class 2 or a Class 2A Distributor of Controlled Substance License with the New York State Department of Health Bureau of Narcotic Enforcement.
- Agents may dispense a controlled substance for the euthanasia of animals only to licensed veterinarians or registered individuals (Euthanasia Technicians) who are certified by the Department of Health.
- Controlled substances, as they relate to 80.134, for the euthanasia of animals, **must** be kept separate from all other controlled and non-controlled substances for all other uses.
- The controlled substance may be dispensed for use **only** at the registered site.

### **Responsibilities**

- SPCA or MACF registering an agent shall immediately notify the Department of any change in the employment or contractual relationship with the designated agent.
- Agents must safeguard the controlled substances and the needles and syringes in compliance with safeguarding standards outlined in [Title 10, Section 80](#).
- SPCA and MACF must submit a [Quarterly Controlled Substance Inventory Form for Humane Societies and Municipal Animal Control Facilities \(DOH-4331\)](#) to the Department within 10 days of the end of each quarter. (Note: Failure to submit the required quarterly reports may jeopardize the renewal of a facility's registration and certification and/or be subject to fines.)
  - If a Quarterly Controlled Substance Inventory Form reveals a loss of a controlled substance, then [DOH form Loss of Controlled Substances Report \(DOH-2094\)](#), **must** accompany the DOH-4331 Report.
- Agents are under a continual duty to ***immediately report*** any loss, theft, or diversion of controlled substances promptly to the Department.
  - Title 10 Section 80.20 – Theft or loss  
The licensee shall promptly notify the department of any theft or loss of any controlled substance. Such theft or loss shall be reported on forms furnished by the department. Thefts shall be reported whether or not the controlled substances are subsequently recovered, the responsible parties identified, or action taken against them.
- Agents must keep records of controlled substances that are purchased, dispensed, and administered.
  - All purchase records, including a copy of the invoice, shall be kept in a separate file and filed by date received.
  - A separate record of solution activities and transactions in the form of a running inventory shall be maintained and include, at a minimum, the following:
    - The name of the drug (by brand name);
    - The name of the manufacturer, lot number, NDC number;
    - The strength of the drug in milligrams (mg) per milliliter (ml);
    - The total amount of drug received in milliliters (ml);
    - The name, address, and DEA registration number of the supplier of the drug;
    - The date the solution was received;
    - The signature of the person receiving the solution;
    - The date of any transaction or activity, the amount of the solution dispensed at each dispensing;
    - The signature of the agent who dispensed the solution;
    - The signature of the registered Euthanasia Technician or Veterinarian administering the solution;
    - The total amount of solution administered in milliliters (ml);
    - The total amount of solution not administered that was wasted or destroyed; and
    - The remaining amount of drug on-hand.
  - Any unused solution must be returned to the agent, for destruction. The agent must record the date, the amount returned, the signatures of the agent and the registered Euthanasia Technician or Veterinarian returning the drug, and the amount on hand after such transaction.
- All records pertaining to controlled substances must be kept on the premises of the facility for a minimum of five years.

**INSTRUCTIONS: *Application for Registration of an Incorporated Society or Municipal Animal Control Facility to Euthanize Animals (DOH-4333)***

1. Submission requirements (new application and renewal):

- ✓ Completed *Application for Registration of an Incorporated Society or Municipal Animal Control Facility to Euthanize Animals (DOH-4333)*.
- ✓ DEA registration number (or copy of completed DEA application form).
- ✓ Societies (SPCA/ Humane Society)—photocopy of current Certificate of Incorporation.
- ✓ Municipal Animal Control Facility (MACF)—official letter from Town Clerk.
- ✓ DOH-5273 for each controlled substance agent.

2. Registrations are valid for three years from their effective date and are valid **only** at the registered location.

3. Complete the application as follows: (*please print or type*)

**Facility Information**

- Name—enter the facility name as it should appear on your certificate and as filed with the Department of State.
- Address—the registered location of the facility. (Include the street address, city, state, zip code. (If using a P.O. box, a street address must be included).
- Telephone number of the facility.
- County in New York State where facility is located.
- Chief Official's Name for the facility, and his/her telephone number and email address.

**Renewals**

- Provide your BNE license number in the appropriate field on DOH-4333.

**Primary Controlled Substance Agent Information**

- Provide name and address of the primary registered agent (include the city, state, and zip code).
- Provide contact telephone number and email address for the registered agent.
- DOH-5273 for each agent must accompany your DOH-4333.

**Suppliers of Controlled Substances** (*if more than 3, use an additional document to list*)

- Identify your suppliers of controlled substances; they must hold a Controlled Substance License, Class 2 or Class 2A Distributor, issued by New York State.

**Veterinarian and Euthanasia Technician Information**

- Provide the names, license/certificate numbers, and their expiration dates of the individuals to whom the controlled substances are dispensed. (*Use a separate sheet if more than 4.*)

**Location and Security** (*use additional pages if necessary*)

- Controlled substances must be stored in a securely locked, stationary cabinet made of steel or other approved metal.
- Cabinet must be limited only to the storage of the controlled substance used for euthanasia purposes, needles and syringes, and the controlled substance records.
- Provide a description of the cabinet, make and model, the location of the cabinet, and the type of lock on the cabinet. Pictures should be submitted for original applications.
- All requirements of [Part 80.6](#) must be adhered to.

**Affirmation and Signatures**

- Controlled Substance Agent must answer the Yes or No questions regarding criminal history.
- The Applicant (or Authorized Representative) and the Agent must sign and date the application.

4. Make a copy for your records and send the application with supporting documentation to the Bureau of Narcotic Enforcement. Email submissions to the Bureau [narcotic@health.ny.gov](mailto:narcotic@health.ny.gov) are strongly suggested. Use of USPS mailing should only be used if email submission is unavailable.

**INSTRUCTIONS: *Quarterly Controlled Substance Inventory Form for Humane Societies (DOH-4331)***

1. Pursuant to Title 10 of New York State Rules and Regulations Part 80.134(k), societies for the prevention of cruelty to animals (SPCA) or municipal animal control facilities (MACF) that are registered with the Department of Health for the euthanasia of animals must submit a controlled substance inventory report to the Department within 10 days of the end of each quarter of the year.
2. Failure to submit the *Quarterly Substance Inventory Report (DOH-4331)* may jeopardize the renewal of the facility's registration and/or be subject to fines.
3. Complete the form as follows:

**Facility Information**

- Provide the facility name and address as it appears on the BNE registration.
- Provide the controlled substance agent's telephone number and email address.
- Provide the facility's Bureau of Narcotic Enforcement certificate number and DEA registration number.

**Reporting Period**

- Check the appropriate box for the end of the quarter you are submitting.
- Type in the year for the quarter you are submitting.

**Controlled Substance Inventory**

- The primary controlled substance agent must complete this inventory.
- Complete the inventory table by providing the amounts of controlled substances and the numbers of animals that are euthanized during the quarter.
- Report any loss, theft, or diversion of controlled substances to the Department on the *Loss of Controlled Substances Report (DOH-2094)*, which is available on the Department's website.

**Affirmation and Signatures**

- The registered controlled substance agent and Chief Official for the facility must read, sign and date the affirmation.

4. Make a copy for your records and email the report to the Bureau of Narcotic Enforcement at [narcotic@health.ny.gov](mailto:narcotic@health.ny.gov) .

## EUTHANASIA TECHNICIANS

### Authorized Activity:

- Certification and registration of an individual (Euthanasia Technician) to administer a controlled substance for the euthanasia of animals.
- Certified individuals may administer a controlled substance for euthanasia of animals **only** when in the employ of a registered facility and **only** when the controlled substance is obtained from the registered agent of that facility.
- Certified individuals must submit a separate certification application for each registered facility they will work at.

### Responsibilities:

- Controlled Substance Agents, registered with the Department, are under a continuing duty to immediately report any loss, theft, or diversion of the controlled substance to the Department on the *Loss of Controlled Substances Report (DOH-2094)*, which is available on the Department's website. **Euthanasia Technicians must report any loss, theft, or diversion to their Controlled Substance Agent immediately.**

### INSTRUCTIONS: *Application for Initial Certification as Euthanasia Technician for Animals (DOH-4332)*

1. Submission requirements:
  - ✓ Submit a completed *Application for Certification as Euthanasia Technician for Animals (DOH-4332)*
  - ✓ Copy of degree or documentation of substituting experience.
2. Certifications are valid for three years from their effective date and are valid **only** at the registered location. If a Euthanasia Technician will be associated with more than one registered location, they are required to submit a DOH-4332 for each location they wish to work at.
3. Complete the application as follows: *(please print or type)*

#### Applicant Information

- Provide the name, address, and contact phone numbers of the applicant.
- Provide applicant's email address and county of residence.
- Date of Birth--Applicants must be at least 21 years of age at the time of application.

#### College

- Provide the type of degree and the date it was received—a Bachelor or Associate degree in Animal Health Sciences or a related field is required. (Two years experience in animal care including the euthanasia of animals may substitute for the required degree.)
- Name of College or University--provide the name and address of the educational institution.

#### Certification of Experience/Training

- Obtain attestation signatures from two licensed veterinarians (or from one licensed veterinarian and one Veterinarian Technician).

#### Employment Verification

- The Chief Official or Head Supervisor of the registered entity must complete this section to verify the applicant is currently associated with or working for the registered entity.
- Print the name of the official and the applicant.
- Print the registered entities name BNE registration number as it appears on their registration with BNE.
- Enter the date applicant's employment or association with the registered entity began.
- Print the registered entities address as is on-file with BNE.
- Chief Official signs and dates.

#### Applicant Affirmation and Signature

- Read the affirmation and answer the question.
- Sign and date the application.

4. Make a copy for your records and submit the application with supporting documentation to the Bureau of Narcotic Enforcement. Electronic submissions are preferred.

**INSTRUCTIONS: *Renewal Application for Certification as a Euthanasia Technician for Animals (DOH-5274)***

1. Print the applicant's current NYS BNE Registration number.
2. Print applicant's name, home address, telephone numbers and email address.

**Applicant Affirmation**

1. Check the appropriate Yes or No box for the question regarding felony convictions relating to controlled substances.
  - a. Checking the Yes box does not automatically make the applicant ineligible for certification. Each circumstance will be reviewed to prior to a determination by the Department as to whether the applicant can remain certified.
2. Applicant signs and dates.

**Attestation of Continuing Education**

1. All applicants seeking renewal, must have a minimum of 2 hours of continuing education in the safe and effective use of solution in the euthanasia of animals. Examples of approved continuing education are:
  - i. A NYS DOH BNE sponsored or approved course
  - ii. Educational content through a NYS Education Department approved entity, which can be found at <http://www.op.nysed.gov/prof/vetmed/vetceproviders.htm>
  - iii. Educational content from any state or association relating to veterinarian medicine
  - iv. In-Service or continuing education approved by a NYS licensed Veterinarian
  - v. Educational content dealing with best practices for euthanasia of animals and/or care of the terminally ill animal
  - vi. Annual updates or practice in the safe handling, storage, and use of controlled substances used for the euthanasia of animals
2. The attestation of continuing education AND the Employment Verification must be completed by the Chief Officer or Head Supervisor of the registered entity that is on-file with BNE. Leave NYSED license blank if not a licensed veterinarian.
3. Make a copy for your records and submit the application with supporting documentation to the Bureau of Narcotic Enforcement. Electronic submissions are preferred.

**Examples for Local Continuing Education and Best Practices**

NYS licensed Veterinarians can develop and implement continuing education for Euthanasia Technicians. Whether this is new advances in medical practice, medication changes, or facility best practices and updated procedures. The educational content must have a cognitive component as well as a psychomotor component for hands-on skills if necessary. Affective components should also be including in all education.

To meet the Euthanasia Technician's CE requirements for renewal, they must have the attestation section of their application completed as stated above. If CE is done locally and not through an accredited educational institution, NYSED approved entity, or by an association, there must be verifiable educational objectives on-file at the registered facility in the Euthanasia Technician's file. Following is an example format to assist you in meeting this requirement:

Cognitive Objectives: learning that focuses on problem-solving abilities and behavioral modifications of intelligence and conscious thought.

- Describe the mechanisms of drug action.
- Differentiate among drug interactions.
- List the components of safe drug storage.
- Discuss the legal requirements for the use of and safe storage of controlled substances.
- Describe 2 techniques to minimize pain, distress, fear and anxiety of an animal to be euthanized.



Psychomotor Objectives: the relationship between cognitive functions and physical movement.

- Demonstrate the proper way to give an intramuscular injection.
- Demonstrate the approved method of documenting the use of controlled substances in the euthanasia of animals.
- Demonstrate the proper way to tag and identify the remains of an animal after euthanasia.

Affective Objectives: the manner in which the student deals with things emotionally, such as feelings, values, appreciation, enthusiasms, motivations, and attitude.

- Appropriate emotional support towards owners of an animal.
- Appropriate attitude toward the overall process and facility procedures regarding the euthanasia of an animal.
- Understanding and showing the value of each team member involved in the euthanasia of an animal.

The above examples should help guide you in preparing continuing education for your Euthanasia Technicians.