

**211.215 Program for decontamination of bird roosts.**

- (1) The Cabinet for Health and Family Services shall operate a program for the decontamination of bird roosts.
- (2) Prior to the decontamination of a bird roost, the cabinet shall, at a minimum, make the following determinations:
  - (a) The bird roost has tested positive to the presence of histoplasma capsulatum;
  - (b) The bird roost presents a potential health hazard;
  - (c) The landowner has requested in writing to the cabinet that the cabinet have the land area associated with the bird roost decontaminated; and
  - (d) That there are sufficient state funds to pay for the decontamination of the area, including any assistance which may be given by local governmental units, volunteer fire departments, or other organizations.
- (3) If one (1) or more of the determinations made by the cabinet in subsection (2) of this section is made in the negative, the bird roost shall not be decontaminated by the cabinet.
- (4) The cabinet shall ensure that the decontamination of a bird roost is conducted in a safe manner.
- (5) The cabinet may secure the services of local governmental units, volunteer fire departments, or other organizations as long as they are qualified to conduct the decontamination in a safe manner.
- (6) The cabinet may issue administrative regulations to implement this section.

**Effective:** June 20, 2005

**History:** Amended 2005 Ky. Acts ch. 99, sec. 349, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 293, effective July 15, 1998. -- Created 1980 Ky. Acts ch. 106, sec. 1, effective April 2, 1980.