

## Service Animals

Supersedes: 11-23-08  
Effective: 09-13-13

1. Beginning on March 15, 2011, only dogs are recognized as service animals under titles II and III of the ADA. Provisions have also been made for miniature horses.
2. Service animals shall be permitted to accompany a patient or guardian of a minor patient in the ambulance unless the presence of the service animal will disrupt patient care, or there is some basis for the crew members to believe that the safety of the crew, the patient or others would be compromised by the presence of the service animal in the ambulance.
  - 2.1. Growling may be considered threatening behavior in which case the service animal may be transported by other means. Barking may also be considered threatening, however, specific service animals are required to bark to get their owners attention.
3. When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
4. When practical, Boston EMS personnel should allow the patient to address the service animal with any commands that may be needed while being examined, treated, or transferred.
5. When transporting a patient with a service animal, every effort should be made to do so in a safe manner for the patient, the animal and the crew members. If possible, the animal should be secured in some manner in order to prevent injury to either the animal or the crew during transport. The patient should be loaded into the vehicle first, and then the service animal. Whenever possible, the receiving hospital should be notified that you are enroute with a service animal.
6. When the presence of a service animal in the ambulance might interfere with patient care, jeopardize the safety of the crew, the patient or others, personnel should make other arrangements for simultaneous transport of the service animal to the receiving facility.
  - 6.1. Acceptable alternative methods of transporting a service animal to the receiving facility include, but are not necessarily limited to, family members, friends or neighbors of the patient, animal control, an EMS Supervisor, or a law enforcement official.
7. Personnel should document on the Patient Care Report (PCR) instances where the patient or guardian accompanying a minor patient utilizes a service animal and note

whether or not the service animal was transported with the patient. If the animal was not transported in the ambulance with the patient, the PCR should contain the reason(s) and the means by which the animal was transported.

## OVERVIEW OF UPDATED ADA REQUIREMENTS

The Department of Justice published revised final regulations implementing the Americans with Disabilities Act (ADA) for title II (State and local government services) and title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, or rules, clarify and refine issues that have arisen over the past 20 years and contain new, and updated, requirements, including the 2010 Standards for Accessible Design (2010 Standards).

### OVERVIEW:

- Beginning on March 15, 2011, only dogs are recognized as service animals under titles II and III of the ADA.
- A service animal is a dog that is individually trained to do work or perform tasks for a person with a disability.
- Generally, title II and title III entities must permit service animals to accompany people with disabilities in all areas where members of the public are allowed to go.

### DEFINITION

Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

### WHERE SERVICE ANIMALS ARE ALLOWED

Under the ADA, State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. For example, in a hospital it would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal's presence may compromise a sterile environment.

### CONTROL

Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents

using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

#### PERMISSIBLE INQUIRIES

- When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.
- Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.
- A person with a disability cannot be asked to remove his service animal from the premises unless: (1) the dog is out of control and the handler does not take effective action to control it or (2) the dog is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.
- Staff are not required to provide care or food for a service animal.

#### MINIATURE HORSES

In addition to the provisions about service dogs, the Department of Justice's revised ADA regulations have a new, separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) Entities covered by the ADA must modify their policies to permit miniature horses where reasonable. The regulations set out four assessment factors to assist entities in determining whether miniature horses can be accommodated in their facility. The assessment factors are (1) whether the miniature horse is housebroken; (2) whether the miniature horse is under the owner's control; (3) whether the facility can accommodate the miniature horse's type, size, and weight; and (4) whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

#### *References:*

<http://www.mass.gov/ago/consumer-resources/your-rights/civil-rights/disability-rights/information-about-service-animals.html>

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[http://www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm)