



Service Animals

Issues for the Public
Health Worker

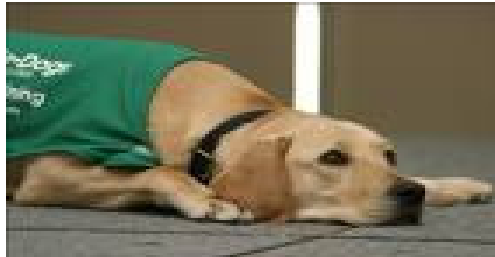


Goals

- Goals are that-
 - You will learn about the definition of service animal and sub-related to it.
 - You learn about the access rights of a service animals in emergency related settings or situations.
 - You will be more aware of resources on service animals.
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Defining the Service Animal

- Part 36 of Americans with Disabilities Act defines a service animal as:
- Any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.



Dispute about What Kinds of Animals Are Actually Service Animals

- Animals can help people generally, but only service animals have certain rights of access and accommodations.
 - To address ensuring that animals that receive access are service animals, a coalition of assistance dog organizations has been formed, to advocate for revised definition of service animals.
 - ANPRM has been issued as of June 2008, seeking public comment on the definition of service animal, and in any event, International Association of Assistance Dog Partners has developed that service animals be able to meet a minimal set of standards for training and public behavior that is accessible at www.iaadp.org
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Historical Contemplations

- Modern Movement for Systemized Training for Guide Dogs Dates to post World War I. First School Opened in Potsdam Germany.
- In 1921 Dorothy moved to Vevey, Switzerland, where she established a kennel, Fortunate Fields, and experimented in the selective breeding of dogs.
- By 1923, horse and dog trainer, Elliott S. Humphrey, joined Fortunate Fields, worked in breeding and training shepherds for the army and police that gained notoriety in Europe.
- A trip that changed history- Eustis, Dorothy H., The Seeing Eye, Saturday Evening Post. P. 43 (Nov. 5, 1927)



Historical Contemplations Continued

Part 2

- Morris Frank, born March 23, 1908, helped his blind mom, and lost the use of his vision in two separate accidents.
- Native of Nashville, Tennessee, he attended Vanderbilt University, and the article in the Post was read to him.
- He wrote about Eustis about training a dog for him, and in return, he established a school for training such dogs in the United States.
- Training at Fortunate Fields with a dog he later named Buddy, and with \$10,000 endowed by Eustis, he established and recruited students to the first school.



Historical Contemplations Part 3

- Incorporated first school, called The Seeing Eye, in the U.S. on January 29, 1929
 - Title of article and school, from Bible, Proverbs 20:12: “The Seeing Eye, The Hearing Ear; The Lord hath made them both”
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Historical Contemplations Part 4



- First class at Seeing Eye has 2 students.
 - By 1931, Seeing Eye moves to New Jersey, and in the 1960s, moved to its current site in Morristown, NJ.
 - With the onset of WW2, other schools opened- Leader Dogs for the Blind in Michigan in 1939 and Guide Dogs for the blind in early 1940s.
 - U.S. Postal Service Commemorative Stamp 50th Anniversary of Seeing Eye.
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Other Kinds of Service Animals

- Other kinds of service animals, include:
 - Signal Dogs - Alert persons with hearing impairments to sounds.
 - Mobility Assist Dogs - Pull wheelchairs or carry and pick up items, and/or help with balance for persons with mobility impairments, and
 - Seizure Alert Dogs - alert their companions to the onset of potentially life-threatening seizures.
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Service Animals at Work during Disaster

- Devotion of Dog Guides in Time of Disaster
- According to Article by David Montero, Staff writer- Dog guides blind owner down from 78th floor, Michael Hingson and Roselle, his guide dog, survived disaster because of their partnership
- Roselle helped him down 78 flights of steps to the lobby and then a subway. They helped a lady blinded temporarily from debris of towers.



2006 Fact Sheet issued by the HHS Office of Civil Rights- Access of Service Animals Generally

- Health-care Facilities are covered by the ADA and the Rehabilitation Act....
 - “A service animal cannot be denied access within the facility, unless its presence or behavior creates a fundamental alteration in the nature of the services or a direct threat to person in this particular area.”
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2006 Fact Sheet issued by the HHS Office Of Civil Rights Part 2- Access Generally

- No evidence suggests that animals pose a more significant risk of transmitting infection to people; service animals should not be excluded from most areas, unless an individual patient's situation or a particular animal poses greater risk that cannot be mitigated through reasonable measures.
 - Clean, healthy, well behaved service animals and their handlers should be allowed access to regular care areas, as would be the able-bodied public, e.g., patient rooms, public areas.
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2006 Fact issued by the HHS Office of Civil Rights- Infection Control

- Most important infection control measure for medical related institution settings, for patients, staff and/or residents is the strict enforcement of hand-hygiene measures
 - For instance, using either soap and water or an alcohol-based hand rub
 - Care should be taken to avoid direct contact with animal urine or feces.
 - Clean-up of these substances from environmental surfaces requires gloves and the use of leak-resistance plastic bags.
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2006 Fact Sheet issued by the HHS Office of Civil Rights- Counterbalancing Considerations, Direct Threat and Others

- Determination of direct threat and other, must be based on individualized assessment.
 - Evaluation of risk should be based on
 - the nature of risk (including duration and severity)
 - the probability that injury will occur
 - whether reasonable modifications of policies, practices, or procedures will mitigate the risk.
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What to Do with Service Animals at Medical Related Institution or Medical Related Emergencies when the Handler is Injured, Ill, or Unconscious Part 1

- First look at harness or tags for indication of school
 - Contact Maryland State Animal Response Team for chip detection scanner; dog guides, and many other service animals, are or may be the recipients of a microchip.
 - In case of dog with either, should be able to contact particular dog guide school.
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What to Do with Service Animals at Medical Related Institution or Medical Related Emergencies when the Handler is Injured, Ill, or Unconscious Part 2

- Experience with emergency preparedness drill indicated medical related institutions need to plan for receiving disabled patients with service animals.
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The Universal Access Shelter

- August 2007, article by the Yale Center for Public Health Preparedness, indicated, to address historical issues encountered at shelters, universal access shelters should be designed and constructed.
 - Purpose is to ensure that any independent person can use public shelters.
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The Universal Access Shelter-Service Animals Part 2

- Depending on the context, a shelter is a public entity or place of public accommodation, and must permit access of service animals.
 - According to App. B Part 36 of the Title III regulation of the DOJ, handlers are to be provided the broadest feasible access and are not to be separated from their service animals.
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H.R. 3858, Pets Evacuation and Transportation Standards Act of 2006

- President Bush signed the Pets Evacuation and Transportation Standards Act, Publ. L. 109-308, 120 STAT. 1725 (Oct. 6,2006)



H.R. 3858, PETS Act Part 2

- Provisions generally provide:
 - Local and state emergency preparedness authorities are required to include plans for pets and service animals in their disaster plans to qualify for grants from FEMA
 - Granting FEMA the authority to assist states and local communities in developing disaster plan to accommodate people with pets and service animals
 - Authorizing federal funds to help create pet-Friendly emergency shelter facilities
 - Allowing FEMA to provide assistance for individuals with pets and service animals, and the animals themselves, following a major disaster
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Miscellaneous Issues – Ambulance Service for Dog Guides

- Pilot ambulance service in Baltimore County to transport ill or injured service animals
 - Policy developed in collaboration with Police and Fire department and Pet ER of Towson.
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Identification and Question about Service Animals

- Some but not all service animals may have special tags or harnesses, or have papers, but those are not required to grant access.
 - Some states require, not Maryland, certification of service animals but as a matter of federal law, certification is not required to grant access.
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Identification and Questions about Service Animals Part 2

Questions to determine whether animals are service animals

1. Do you have a disability?(If “no” proceed to Question No.5)
 2. Is this animal a service animal?
 3. Has this animal been individually trained to assist you with your disability?
 4. How does this animal assist you with your disability? (Acceptable answers, include, general statements, such as, by guiding me, carrying objects for me, etc.)
 5. For a non-disabled person
 - a. Are you licensed to train guide dogs?
 - b. Are you authorized to trained signal or service dogs?
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Miscellaneous – Md. Provision – Part 1

Md. White Cane Law

- Md. Code, Art. 24, § 11-502; Md. Code, Human Services,
 - §§7-701 – 709, provide access protections in the state, for the handlers of service animals.
 - Protections that these sections provide are stated in part below:
 - §7-704(a) - Blind, visually impaired, deaf...individuals have the same right as individuals without those disabilities to the full and free use of the roads, sidewalks, public buildings, public facilities, and other public places..
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Miscellaneous – Md. Provision – Part 2

- 7-704(b) (2) - The failure of a blind or visually impaired pedestrian to carry a cane predominantly white...in color, with or without a red tip, or a deaf...pedestrian to use a service animal wearing an orange license tag or orange collar and on a leash, or to use a service animal in a...accommodation, or conveyance...does not constitute contributory negligence per se
 - §7-704©(1)-(4) – Individuals who use or desire to use a service animal are entitled to equal access to housing accommodations in the state, except they may be liable for any damages caused by the animal
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Miscellaneous – Md. Provision – Part 3

- §7-705(a), and (c) specifically addressing the access of service animals and their handlers, provides that service animals and their handlers, and the trainers of service animals, have all the same rights as are conferred on the able-bodied public.
 - §7-705(e) provides for penalties for the access denial, interference, of a service animal and its handler, and a service animal in training and its trainer, respectively, including, a misdemeanor and fine not to exceed \$500 and \$25.
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MD White Cane Law Part 4

- §7-708, added by the Md. Service Animal Reform Act of 2007, provides, as follows:
 - Any organization or agency that requires a professional training program for the following individuals shall include a segment concerning the rights of
 - individuals with disabilities who are accompanied by service animals:(1) first responders; (2) emergency shelter operators; and (3) 9-1-1 operators.
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