



U.S. Department of Health and Human Services
Office of the Assistant Secretary for Preparedness and Response



Understanding How to Accommodate Service Animals in Health Care Facilities

Many people, including health care professionals and other service providers, may be unsure of statutory requirements when interacting with an individual with a disability using a service animal. This fact sheet is intended to clarify legal obligations and etiquette when interacting with an individual using a service animal, with a particular emphasis on the health care setting during an emergency or disaster. The U.S. Department of Justice has developed the following definition of Service Animals:

Service animals are 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 Americans with Disabilities Act (ADA). Under the ADA and Section 504 of the Rehabilitation Act of 1973, health care facilities must permit the use of a service animal by a person with a disability, including during a public health emergency or disaster.

Policy Guidance

- During a public health emergency or disaster staff may not: ask about the person's disability; require medical documentation, a special identification card, or training documentation for the dog; or ask the dog to demonstrate its ability to perform the work or task. When it's not obvious what task is being performed by a service animal, staff may ask only two questions:
 - (1) Is the dog a service animal required because of a disability, and
 - (2) What work or task the dog has been trained to perform.
- Service animals are to accompany the individual with a disability in all areas of the medical facility where health care personnel, visitors, and patients are normally allowed during inpatient services, unless the animal's presence or behavior creates a fundamental alteration in the nature of a facility's services in a particular area or a direct threat to other persons in a particular area.
 - A "direct threat" is defined as a significant risk to the health or safety of others that cannot be mitigated or eliminated by modifying policies, practices, or procedures.
- A person with a disability cannot be asked to remove his or her service animal from the premises unless the dog is not housebroken, is out of control, or if the handler/owner does not take effective action to control the service animal.
- It may be appropriate to exclude a service animal from limited access areas that employ general infection control measures, such as operating rooms and burn units, where the animal's presence may compromise a sterile field environment.
 - Fear and allergies are not valid reasons for denying access to a service animal or refusing service to people using service animals.
- People with disabilities who use service animals may not be isolated from others, treated less favorably than others, or charged with fees that are not charged to other customers without animals.
- Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or if an individual's disability prevents using these devices. The handler/owner must maintain control of the animal through voice, signal, or other effective controls.
- When encountering an individual with a disability, it is acceptable to ask if they need assistance. If yes, ask how you can best assist them.
- When encountering an individual with a service animal, do not interact with or distract the animal.

References: U.S. Department of Justice, Civil Rights Division: Nondiscrimination on the Basis of Disability in State and Local Government Services, Final Rule (<http://www.gpo.gov/fdsys/pkg/FR-2010-09-15/html/2010-21821.htm>) and ADA 2010 Revised Requirements, http://www.ada.gov/service_animals_2010.htm; Centers for Disease Control and Prevention: Guidelines for Environmental Infection Control in Health-Care Facilities, Recommendations of CDC and the Healthcare Infection Control Practices Advisory Committee (2003), http://www.cdc.gov/hicpac/pdf/guidelines/eic_in_HCF_03.pdf.

Disclaimer: The information contained in this document does not constitute legal advice.