

# Molina Provider Education Series

# Service Animals

Under Title II and Title III of the Americans with Disabilities Act (ADA), service animals are permitted to accompany the person with a disability anywhere the public is allowed to go. Service animals are defined as dogs (or miniature horses) that are individually trained to do work or perform tasks for people with disabilities including a physical, sensory, psychiatric, intellectual, or other mental conditions.



## Examples of Tasks Performed by a Service Animal

The following tasks include, but are not limited to:

- Guiding people who are blind or have low vision
- Alerting people who are deaf or hard of hearing to the presence of people or sounds
- Pulling or performing tasks for a wheelchair user
- Alerting and protecting a person having a seizure
- Alerting individuals to the presence of allergens
- Retrieving items, such as medication or telephone
- Provide balance and stability to people with mobility disabilities
- Alerting to a change in insulin levels
- Helping individuals with psychiatric and neurological disabilities (i.e., epilepsy, autism, PTSD, etc.) by preventing or interrupting impulsive or destructive behaviors.

## Examples of Tasks that Do NOT meet the Definition of a Service Animal

- Provision of emotional support, well-being, comfort or companionship
- Crime deterrent effects of an animal's presence

## Does the Service Animal Require Certification?

No. A public entity or private business may not require or request documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, nor is the animal required to wear an identifying vest.

## What Inquiries Can You Make Regarding the Service Animal?

There are only two questions you can ask about the use of a service animal:

1. Is this animal required because of a disability? (Unless the need for the animal is obvious, i.e., the dog is guiding someone who is blind; or is pulling a wheelchair user).
2. What work or task has this animal been trained to perform? (You cannot ask that the animal demonstrate its ability to perform the work or task)

With the exception of the clinical encounter, you should never ask about the nature or extent of the person's disability or request medical certification as it relates to an attempt to justify a service animal.

1. As defined by the Department of Justice's revision of the ADA on March 15, 2011.



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## Accommodating Service Animal Handlers

There are a variety of accommodations that may be necessary, but these depend on the individual. These might include:

- Larger exam room
- Ensure enough space in the waiting room is available
- Do not pet or distract the service animal
- Remember to focus on the person, not the service animal

## Accommodating Patients in the Clinic Waiting Room who may have Allergies or who have a Fear of Dogs

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 clinic/hospital setting, 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. Every effort must be made to accommodate both individuals.

## Exclusions, Charges or Other Specific Rules

- A person with a disability can be asked to remove the service animal if:
  - The dog is out of control and handler does not take effective action to control it.
  - The dog is not housebroken.
- If there is a legitimate reason for removal of the dog, you must offer the person with a disability the opportunity to reschedule their appointment without the animal's presence.
- You cannot charge a deposit or fee to allow the service animal in your clinic/medical office.
- You cannot treat patients with service animals less favorably than other patients.
- If it is your practice to charge patients for damage to your facility, then you may charge for damage that is incurred by a service animal.
- You are not required to provide care or food for a service animal.
- It may be appropriate to exclude a service animal from operating rooms, or anywhere they will compromise a sterile environment. Discussion of this in advance of the procedure is recommended so that the handler can make an appropriate accommodation.

## Miniature Horses

Subject to a facilities ability to accommodate the size and weight of the miniature horse, a public entity or private business must permit their use as a service animal by an individual with a disability. The same provisions that apply to service dogs also apply to miniature horses.

## For more information about the ADA, you are invited to visit their website or call them toll-free:

www.ADA.gov  
800-514-0301 (Voice)  
800-514-0383 (TTY)  
M-W, F 9:30 a.m. – 5:30 p.m.,  
Th 12:30 p.m. – 5:30 p.m. (Eastern Time)  
To speak with an ADA Specialist.  
All calls are confidential.

If you have additional questions or require more information, please contact your respective county Provider Services Representative.

