



New York State
Department of Health
Bureau of Emergency Medical Services

POLICY STATEMENT

Supercedes/Updates: NEW

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Re: Service Animals

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This policy is intended to provide information to EMS personnel about the rights of patients and their service animals as well as several of the laws concerning service animals under the Americans with Disabilities Act (ADA). This policy will assist ambulance agencies in understanding the rights of patients who utilize service dogs/animals, how these animals should be transported and that these animals have rights under the law that are not granted to domestic pets.

In the United States, the idea of a service dog started with a woman named Dorothy Harrison Eustis. In the last several decades, the concept of a service dog has expanded greatly, with dogs helping the hearing-impaired, people who use wheelchairs and those who have many other kinds of physical challenges. The Americans with Disabilities Act made the rights of people who use service animals the law.

Definitions of Service Animals

- The U.S. Department of Justice defines any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. If the animal meets this definition, it is considered a service animal under the Americans with Disabilities Act (ADA) regardless of whether it has been licensed or certified by a state or local government.
- New York State Agriculture and Markets Article 7 section 108 defines the following:
 - 9. "Guide dog"** means any dog that is trained to aid a person who is blind and is actually used for such purpose, or any dog owned by a recognized guide dog training center located within the state during the period such dog is being trained or bred for such purpose.
 - 22. "Service dog"** means any dog that has been or is being individually trained to do work or perform tasks for the benefit of a person with a disability, provided that the dog is or will be owned by such person or that person's parent, guardian or other legal representative.
 - 23. "Person with a disability"** means any person with a disability as that term is defined in subdivision twenty-one of section two hundred ninety-two of the executive law.

Identifying a Service Dog/Animal

Service animals may include dogs of any breed or size as well as other animals including, but not limited to birds, primates and ponies. The EMS provider may ask the following types of questions when presented with a service animal:

- “Is this a service dog?” or “Does your animal have legal allowances?”
- “Is the service animal required because of a disability?”

The EMS provider may NOT ask about the nature or extent of the patient’s disability except as it relates to patient care.

Transporting the Patient and the Service Animal

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. Safe transport devices may include:

- Crates, cages, specialty carriers.
- Seatbelts or passenger restraints using a specialized harness or seat belt attachments.
- In certain situations it may not be possible for the animal to be transported with the patient. In that case every effort should be made to insure safe care and transportation of the animal by alternative means (animal control personnel, family members, etc).
- EMS should notify the receiving facility of the presence of a service animal accompanying the patient.

Additional Information and Resources

Regardless of the purpose of the animal, if the animal is a potential threat to health or safety of anyone involved in response, the animal may be excluded from transport.

NYS has developed the Empire State Animal Response Team (ESART) and is working with counties across the state to develop individual County Animal Response Teams (CART’s) to assist with coordination of evacuation, shelter, and transportation of household pets and service animals per the state and federal” P.E.T.S. Act of 2006.” The following web site provides additional information about these resources:

<http://www.empiresart.com/>

The following sites offer resources and Frequently Asked Questions (FAQ’s) with regard to Service Animals:

<http://www.usdoj.gov/crt/ada/archive/gasrvc.htm/>

<http://www.deltasociety.org/>

<http://www.aspca.org/site/PageServer>

<http://www.hsus.org/>

<http://www.seeingeye.org/>

<http://www.guidingeyes.org/>