



Community Action Health Center

Policy: Service Animal Policy	Policy Revised Date:
Procedure Revised Date:	Policy Board Approved: 11/30/2023

I. Purpose

The purpose of this policy is to ensure that service animals that accompany patients and visitors with disabilities have public access to Community Action Corporation of South Texas, “Health Center” facilities, except where the access may present risk to the animals or patients. This policy also provides guidance to staff regarding how to identify and interact with service animals (dogs) or miniature horses (MH).

II. Definitions

Individual with a Disability: A person who:

- a) Has a physical or mental impairment that substantially limits one or more major life activities; or
- b) Has a record of such an impairment, or
- c) Is perceived by others as having such an impairment.

Service Animal: Only dogs (excludes other species of animals, however, see additional considerations for miniature horses; See also Miniature Horses (MH) section) that are individually trained to do work or perform tasks for people with disabilities qualify as service animals.

III. Policy

It is the policy of the Health Center that persons with disabilities and their service animals shall not be discriminated against, and they will have full and equal access, services, and treatment.

IV. Procedure

- 1) Patients and visitors with disabilities shall not be discriminated against, and they will have full and equal access, services, and treatment.
- 2) All patients and visitors accompanied by a dog or miniature horse that is individually trained to do work or perform tasks for a disabled person must be permitted to enter all areas of the Health Center that are open to the general public, unless:
 - a) The service animal poses a direct threat;
 - b) The service animal fundamentally alters the Health Centers operations, policies, practices, and/or procedures;

- c) The area requires the general public to adopt safety measures that cannot reasonably be adopted by the service animal to mitigate safety risks and no other accommodation can be made; or
- d) The area is closed to the general public.

3) Excluding/removing service animals: Any decision to exclude service animals from the Health Center shall be made only after an individualized assessment by the Site Manager in consultation with the Compliance department. The individualized assessment shall include the following (Appendix A):

- a) Reasonable judgment that relies on current medical knowledge or on the best available objective evidence.
- b) Ascertaining the nature, duration, and severity of the risk.
- c) Probability that the potential injury will occur; and
- d) Whether reasonable modification of policies, practices or procedures or provisions of auxiliary aids or services could mitigate the risk.

4) Restricted Areas – Service animals may be excluded from areas which may provide risk to the animal.

5) Staff Inquiry- Health Center staff shall use minimal inquiry when the work, service or tasks performed by the dog or miniature horse are not obvious and apparent.

6) When it is not obvious or apparent what service, task or work the dog performs, staff may ask two questions only:

- a) Is the dog a service animal required because of a disability; and
- b) What work or task has the dog been trained to perform?

7) Under the Americans with Disability Act (ADA), staff shall rely upon the patient or visitor's word that the dog is a service animal and the description of the service, task or work it performs. If the animal is not a service animal, staff shall ask the patient to remove the animal.

8) Staff shall not engage in the following lines of inquiry:

9) Ask about the nature or extent of the person's disability.

- a) Require documentation to support service animal status (ex: ID card, proof of certification and training).
- b) Ask dog to demonstrate ability to perform service, task, or work.
- c) Refuse access based upon allergies and fear of dogs.
- d) Modify practices and accommodate the service animal (ex: move patient to another comparable room, change staff schedules)
- e) Treat patients and visitors with service animals less favorably.
- f) Pet the service animal (May distract from assigned tasks).
- g) Feed, clean, toilet or care for the service animal.
- h) Ask patient, visitor, or handler to remove service animals from premises, unless there is a legitimate reason, and an individualized assessment has been completed (Appendix A).

10) Requirements for Handlers and Service Animals - Service animals shall be under the handler's control at all times via harness, leash, tether, unless these devices interfere with the service animal's work in which case the handler must be able to maintain control over the service animal via voice control, motion/signal control or effective controls.

- a) The handler shall perform hand hygiene and follow Standard Precautions policy for self and animal care.
- b) The handler shall use the prescribed/designated areas for animal relief
- c) If a service animal becomes sick or injured while in Health Center facilities, the handler is responsible for arranging veterinary care. The Health Center can not provide care to privately owned animals.

11) Safety Incidents and Legitimate Reasons for Removing the Service Animal-All patient and staff safety incidents shall be reported to the Compliance Department. Reasons for removal of Service Animals from the Health Center shall include the following (Appendix A)

- a) Direct threat
- b) Fundamentally alters Health Center's operations, policies, practices, and procedures.
- c) Dog is out of control and the handler does not take effective action to control disruption (e.g., barking, running, jumping).
- d) Aggressive behavior (e.g., biting, lunging).
- e) Not housebroken
- f) Poor hygiene (e.g., fleas, skin conditions).
- g) Dog is sick (e.g., coughing, sneezing, vomiting, and diarrhea and/or has had a fever within the past 3 days).
- h) The handler is a patient and during care is incapable of managing the animal.

12) Miniature Horses are not Service Animals under the American with Disabilities Act; however, MHs shall be accommodated where reasonable and if individually trained to do work or perform tasks for people with disabilities.

13) The Health Center site manager, in consultation with other departments as needed, shall complete an individualized assessment to determine whether miniature horses can be accommodated. The four (4) assessment factors are:

- a) Whether the MH is housebroken or has devices used to support elimination.
- b) Whether the MH is under the owner or handler's control.
- c) Whether the facility can accommodate the miniature horse's type, size, and weight; and
- d) Whether the MH's presence will not compromise legitimate safety requirements necessary for safe operations

Appendix A: Individualized Service Animal Assessment Tool

Any decision to exclude or remove a service animal from Health Center shall be made only after an individualized assessment completed by the site manager in collaboration with clinician has been submitted to the Compliance Department. Individualized assessment of direct threat must include all the following: A. Be based on actual risks, not speculation or generalizations; rely upon current medical knowledge or best available objective evidence B. The nature, duration and severity of the risk C. Determine the probability that potential injury will occur, and D. Determine reasonable accommodations to policy, practice, or procedures to accommodate the disability.

Assessment Date: _____

Site Manager Name: _____

Patient/Visitor Name: _____

MRN (If Patient), Write N/A if Family, Visitor or Other: _____

Animal Being Assessed : Service Dog Miniature Horse

A. Check All Boxes That Apply to the Animal:

1. Animal poses a direct threat to the health and safety of others
- Not housebroken; has had more than one accident
- Poor hygiene (malodorous, dirt, fleas)
- Illness (fever, vomiting, diarrhea, impaired ability to serve patient)
- Out of control / disruptive (barking, jumping, running, lunging, biting)

Additional facts:

2. If you have checked any boxes above, please answer the following:

- a. Nature of risk animal poses: _____
- b. Duration of the risk the animal poses: _____
- c. Severity of the risk: _____
- d. Probability that injury will occur: _____
- e. What reasonable accommodations can be made? _____

3. Animal fundamentally alters Health Center's operations, policies, practices, and procedures or would result in an undue burden

NOTE: Question three should be completed when applicable and must be completed if denying or removing an accommodation and section 2.e above is left blank.

Provide Facts Demonstrating a Fundamental Alteration or Undue Burden:

B. Check All Boxes that Apply to the Patient/Handler/Owner

- Refuses or is unable to control the animal (tether, harness, verbal commands, visual cues)
- Refuses or is unable to feed and care for the animal (ambulation, toileting)
- Refuses or does not designate / provide handler to control animal
- Does not have friends or family who can control and care for the animal while receiving health care services

Signature: _____

Date: _____