

SERVICE ANIMALS

The Department of Mental Health and Addiction Services (DMHAS) provides people with disabilities effective communication and equal access to programs and services under Title II of the ADA.

The ADA defines service animals as dogs individually trained to work or perform tasks directly related to a person's disability. This includes but is not limited to: guiding an individual with visual impairments, alerting people with hearing impairments, pulling a wheelchair, alerting and protecting a person with a seizure disorder, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, and other tasks. Dogs whose sole function is to provide comfort or emotional support are **not** considered service animals. For example: "A dog that has been trained to sense an anxiety attack is about to happen and take a specific action to help avoid the attack or lessen its impact would qualify as a service animal. However, if a dog's mere presence provides comfort, that dog would not be considered a service animal."

Generally speaking, a person with disabilities can use his/her service animal in places and activities where the public is allowed including: using a service animal while inpatient in a hospital. Service animals cannot be removed or excluded from facilities, programs or activities due to other people's objections, allergic reactions or disabilities (such as PTSD). In such situations staff should do what is necessary to provide equal access to the individual using the service animal and other persons with disabilities.

A person with disabilities using a service animal can be asked two questions:

- 1. Is the animal a service animal required because of a disability?**
- 2. What work or task has the animal been trained to perform?**

- The person using a service animal is not required to explain his or her disability
- The person using a service animal is not required to submit documentation of the disability or the service animal's training/qualifications
- Service animals are not required to wear vests or other identifiers indicating they are service animals
- Every effort should be made to work with a person using a service animal to address ensure the person has equal access to services, programs and activities

However:

- According to Connecticut Law dogs, including service animals, must be licensed by the community where they reside
- Service animals must be harnessed, leashed or tethered unless the person's disability interferes with using those devices
- Service animals must be under the control of the person using the animal at all times
- The person using the service animal is responsible for the animal. Staff are not required to feed or care for a service animal
- A service animal can be excluded or removed from a facility, program or activity when:
 - there is a direct threat to health and safety of others or the animal has a history of such behavior
 - the animal is not under the control of the person using the animal
 - the animal is not housebroken
 - the animal's presence fundamentally alters the nature of services
- The person with disabilities should be notified of the reason for a decision to exclude or remove a service animal

State-wide Advocacy Programs:

- **Disability Rights Connecticut: 1-800-842-7303 (860-297-4300)**
- **Connecticut Legal Rights Project: 1-877-402-2299 (860-262-5030)**

DMHAS ADA Title II Complaints are addressed under the DMHAS Client Grievance Procedure by the facility's Client Rights Officer. For more information contact: DMHAS Client Rights and Grievance Specialist/ADA Title II Coordinator, DMHAS Office of the Commissioner 410 Capitol Ave 4th Floor PO Box 341431 Hartford, CT 06134 Phone 860-418-7000 TTY: 800-621-3551 (Relay Service 7-1-1) Fax: 860-418-6691

Complaints may also be submitted to the US Department of Justice, Civil Rights Division, Disability Rights Section-NYAV 950 Pennsylvania Ave. NW Washington, D.C. 20530 (1-800-514-0301)