

Frequently Asked Questions About Service Dogs

What is the definition of a Service Dog?

Title II & Title III of the ADA law defines a service animal as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The dog must be individually trained to perform identifiable tasks on command or cue for the benefit of the disabled human handler. The work or tasks performed by the service animal must be directly related to the individual's disability. Examples of animals that qualify as Service Dogs according to the ADA: Guide Dogs, Seeing Eye Dogs, Hearing or Signal Dogs, Psychiatric Service Dogs (PTSD), Sensory Signal Dogs (autism), Seizure Response Dogs.

What is the definition of a Therapy Dog or Emotional Support Animal?

Therapy Animals provide people with therapeutic contact to improve their physical, social, emotional, and/or cognitive function. These support animals provide companionship, relieve loneliness, and sometimes help with depression, anxiety, and certain phobias, but do not have special training to assist people with disabilities. These animals are not limited to working with people with disabilities and therefore NOT considered Service Animals under Title II & Title III of the ADA law. Emotional Support Animals, Companion Animals and Therapy Animals are often used as part of a medical treatment plan, however these animals are NOT covered by federal laws that permit the use of Service Animals in public establishments. A doctor's note does not turn an animal into a Service Dog.

Where are Service Dogs allowed?

According to Title II & Title III of the ADA law Service Dogs are allowed in public facilities and accommodations. A Service Dog must be allowed to accompany its handler to any place in the building or facility where members of the public, program participants, customers, or clients are allowed.

Do Emotional Support Animals have the same rights as Service Dogs?

NO. Emotional Support Animals, Companion Animals and Therapy Dogs are not covered by federal laws that permit the use of Service Animals in public establishments under Title II & Title III of the ADA law.

However, these animals are recognized in accordance with the Fair Housing Act (FHA) and Equal Opportunity Employment Commission (EOEC). Laws prohibit employment discrimination because of a disability. Employers are required to provide reasonable accommodation, including allowing a service animal or an emotional support animal to accompany and individual to work. The Fair Housing Act (FHA) protects a person with a disability from discrimination in obtaining housing. Emotional support animals that do not qualify as service animals under the ADA may nevertheless qualify as reasonable accommodations under the FHA. In cases when a person with a disability uses a service animal or an emotional support animal, a reasonable accommodation may include waiving a no-pet rule or a pet deposit.

Are you allowed to ask for proof that it's a Service Dog?

No. A public facility is not allowed to ask for documentation or proof that the animal has been certified, trained, or licensed as a Service Dog. When a person with a Service Dog enters a public facility the person cannot be asked about the nature or extent of their disability. Only 2 questions may be asked:

1. Is the animal required for a disability?
2. What work or task has the animal been trained to perform?

What if the dog does not behave like a Service Dog?

The ADA law requires the animal to be under control of the handler. If a service animal behaves in an unacceptable way and the person with the disability does not control the animal, a business does NOT have to allow the animal on the premises and the handler CAN be asked to remove the dog. Uncontrolled barking/growling, jumping, not staying next to the handler, and inappropriate elimination are examples of unacceptable behavior for a Service Dog. The ADA does not require public establishments to provide supervision or care of any kind for a Service Dog, including cleaning up after the animal.

How does a dog become “Certified” as a Service Dog?

There is no state or federally recognized certification for any type of Service Dog. There are only a few dozen schools or programs around the country that train Service Dogs. Most of them specialize in highly trained assistance dogs for disabled individuals, such as Seeing Eye Dogs or Dogs For The Deaf. Training facilities may “certify” that a dog has completed training and graduated from the course upon completion.

What about online Service Dog “Registration”?

Online Service Dog Registries such as www.us servicedogregistry.org and www.officialservicedogregistry.com are independent organizations that maintain a voluntary database of people and dogs information. These online registries are NOT federally recognized and are NOT a source of verification or reference. Voluntarily registering information with an online Service Dog Registry does not turn an animal into a Service Dog.

What about buying credentials or identification online?

Much of the apparel and identification worn by many service dogs is for the visual benefit of public awareness and ease of control for the handler. Purchasing credentials or items such as patches, vests identification cards, etc. does not turn an animal into a Service Dog.

Can you train your own Service Dog?

Yes. A service animal is any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. It is possible for an individual to train their own Service Dog, with the assistance of a qualified training and structured training program.

Where can I get more information?

You can print or download detailed information about Service Dogs and Federal Laws at the websites listed below:

ADA Handbook & Guidelines for Service Animals

<https://adata.org/publication/service-animals-booklet>

ADA Definitions & Requirements for Service Animals

https://www.ada.gov/service_animals_2010.pdf

Disability Rights in Oregon for Service Animals

<https://droregon.org/wp-content/uploads/DRO-Service-Animals.pdf>