

POLICY TITLE: Accommodating Persons with Service Animals		IDENTIFICATION NUMBER: RI103	
POLICY LEVEL:	System Wide	ORIGINATION/EFFECTIVE DATE	10/25/2024
FACILITY:	All Family Hospital Facilities	REVIEW CYCLE:	Two Years
DEPARTMENT(S):	All departments	LAST REVIEW DATE:	N/A
		LAST REVISION DATE:	N/A
REVISION:	New		

POLICY STATEMENT

Family Hospital is committed to compliance with federal and state laws prohibiting discrimination on the basis of disability in the offering or delivery of healthcare services. Family Hospital recognizes its legal obligation to accommodate service animals and makes every effort to pro-actively assess the accommodation needs as well as providing the most compassionate care.

PURPOSE

To develop a plan that accommodates individuals pursuant to Section 504 of the Rehabilitation Act of 1973, Section 1557 of the Patient Protection and Affordable Care Act (ACA 2010) and the Americans with Disabilities Act of 2008 which prohibits discrimination on the basis of disability in the offering or delivery of healthcare services. This plan ensures that persons using service animals have an equal opportunity to participate in and benefit from healthcare services. This policy specifically differentiates “service animals” from “therapy animals,” and describes types of service dogs, as well as sets behavioral guidelines.

SCOPE

- Applies to all Family Hospital owned or managed healthcare facilities

DEFINITIONS

- Disability. A person must meet the statutory definition of having a "disability," under federal, state and/or local laws. These statutes recognize the following broad categories of disabilities:
 - A sensory, mental, or physical impairment that substantially limits one or more major life activities (such as walking, seeing, hearing, speaking and breathing, working, learning, caring for one’s self, performing manual tasks, etc.).
 - A sensory, mental or physical condition that is medically cognizable or diagnosable.
- Handler. A person with a service or therapy animal.
- Individualized Assessment. An individualized assessment of a service animal must be made by the Equity Compliance Coordinator (ECC) or other designee prior to excluding the service animal and is based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids will mitigate the risk. [28 C.F.R §36.208(b); 28 C.F.R. §35.139(b)]
- Pet/Comfort Animal. A domestic animal kept for pleasure or companionship. Pets are generally not permitted in Family Hospital facilities. Permission may be granted by facility administration for a pet to be in a facility for a specific reason at a specific time.
- Service Animal. Any animal individually trained to do work or perform tasks directly related to the disability that the individual has. A service animal meets the definition of a service animal regardless of the terminology used to describe it. A service animal is sometimes also called an assistance animal.
- Therapy Animal. An animal with good temperament and disposition, and who has reliable, predictable behavior, selected to visit people with disabilities or people who are experiencing the frailties of aging as a therapy tool. The animal may be incorporated as an integral part of a treatment process. A therapy animal has not been trained to assist an individual with a disability with work or tasks. The therapy animal does not accompany a person with a disability all the time, unlike a service animal that is always with its handler. Thus, a therapy animal is not a service animal.
- Service Animal in Training. A dog or miniature horse, undergoing training to become a service animal. A trainee will be housebroken and fully socialized. To be fully socialized means the animal will not, except under rare

occasions, bark, yip, growl or make disruptive noises; will have a good temperament and disposition; will not show fear; will not be upset or agitated when it sees another animal; and will not be aggressive. A trainee will be under the control of the handler, who may or may not have a disability. If the trainee begins to show improper behavior, the handler will act immediately to correct the animal or will remove the animal from the premises. There is no federal obligation to accommodate service animals that are still in training.

RESPONSIBILITIES

- The ECC and the Compliance and Risk Management Committee monitor and maintain compliance with this policy.
- The ECC is responsible for the coordination of the required accessibility training, including accommodating persons with service animals.
- All staff and contractor workers are expected to comply with this policy

POLICY

1. A service animal is permitted in areas of the facility that are unrestricted to inpatients, outpatients, or visitors provided the presence of the animal does not pose a direct threat; resulting in the fundamental alteration of the goods, services, facilities, privileges, or accommodations of the facility; or jeopardizing the safe operation of the facility; and subject to the following:
 - a. Restricted Areas: Areas where a service animal generally cannot be permitted to access include limited-access areas that employ greater than general infection-control measures and patient units where a patient is immunosuppressed or in isolation. These areas include but are not limited to operating rooms, post anesthesia recover unit, isolation rooms, and all other areas where invasive procedures occur.
 - b. Patient rooms: A service animal is generally permitted in patient rooms unless an individualized assessment is made to exclude a service animal. This assessment shall be based on reasonable judgement that relies on current medical knowledge or on the best available objective evidence to ascertain: the nature, duration, and severity of the risk; the probability that a potential injury will occur; and whether any reasonable modifications of policies, practices or procedures or the provision of auxiliary aids or services will mitigate the risk. If a determination is made that a service animal cannot remain in the room assigned to the patient, the patient will be offered the option of being placed in another comparable room if available.
2. Reasonable modifications must be made to policies, practices and procedures when necessary to accommodate all individuals with a service animal. Generally, this means the waiving of a no animal policy to permit the use of a service animal.
3. Service animals assist with many different tasks, including, but not limited to:
 - a. assisting individuals who are blind or have low vision with navigation and other tasks
 - b. alerting individuals who are deaf or hard-of-hearing to the presence of people or sounds
 - c. providing non-violent protection or rescue work
 - d. pulling a wheelchair
 - e. assisting an individual during a seizure
 - f. alerting individuals to the presence of an allergen(s)
 - g. providing assistance with balance and stability to individuals with mobility disabilities
 - h. helping persons with behavioral health and neurological disabilities by reminding them to take medications or assisting them when they are symptomatic
4. There are many different types of services animals. A non-inclusive list of some of the most common service animals is below:
 - a. A guide service dog is trained to assist in navigation and other tasks for a person who is legally blind or has low vision.
 - b. An alert service dog is trained to alert a person with significant hearing loss or who is deaf when a sound occurs, such as a knock on the door.
 - c. A mobility service dog is trained to assist a person who has a mobility or health disability. Duties may include carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying a person while walking, helping a person up after a fall, etc. Mobility service dogs sometimes are called assistance animals.
 - d. A seizure response service dog is trained to assist a person with a seizure disorder. The animal's service depends on the person's needs. The animal may go for help or may stand guard over the person during a seizure. Some animals have learned to predict a seizure and warn the person.

5. All Family Hospital staff and contractors will be provided with this policy.
6. All personnel that may have direct contact with individuals with disabilities will receive training as it relates to this policy and procedures.
 - a. Training will be provided as part of the new hire General Orientation process and facility/unit specific orientation.
 - b. Annual refresher training will be provided on an ongoing basis.
7. Concerns about or violations of these policies should be reported to one's supervisor, the facility's Equity Compliance Coordinator (ECC), and the Compliance and Risk Management Committee (CRMC).
 - c. The ECC and CRMC can be reached by email at compliance@FHSMC.com
 - d. Refer to policy LD106 concerning Disability Discrimination Grievances.

PROCEDURES

Requirements for Staff

1. Staff Must **not** inquire about the nature of a person's disability but **may** ask if an animal is required because of a disability and what work the animal has been trained to perform, **unless it is readily apparent that an animal is trained to do work or perform tasks for the individual with a disability.**
2. Allow a service animal to always accompany the partner and everywhere on campus, except where service animals are specifically prohibited
3. Do not pet a service animal; petting a service animal when the animal is working distracts the animal from the task at hand.
4. Do not feed or clean up after a service animal. The service animal may have specific dietary requirements. Unusual food or food at an unexpected time may cause the animal to become ill.
5. Do not deliberately startle a service animal.
6. Do not separate or attempt to separate a partner/handler from her or his service animal.

Requirements of Service Animals and Their Partners/Handlers

1. Vaccination: The animal must be immunized against diseases common to that type of animal. Dogs must have had the general maintenance vaccine series, including vaccinations against rabies, distemper, and parvovirus. All vaccinations must be current. Dogs must wear a rabies vaccination tag.
2. Licensing: The animal must comply with local licensing requirements.
3. Leash: The animal must be on a leash, harness or tether at all times, unless either the handler is unable because of a disability to use a harness, leash or other tether; or the use of a harness, leash or tether would interfere with the service animal's safe, effective performance of work, work or task, in which case the service animal must be otherwise under the handler's control using voice control, signals, or other effective means.
4. Under Control of Partner/Handler: The partner/handler must be always in full control of the animal. The care and supervision of a service animal is solely the responsibility of its partner/handler. If a service animal must be separated from the handler to avoid a fundamental alteration or a threat to safety, it is the responsibility of the partner/handler to arrange for the care and supervision of the animal during the period of separation.
5. Cleanup Rule: The partner/handler must always carry supplies sufficient to clean up the animal's feces whenever the animal and partner are on Hospital property and properly dispose of the feces by flushing or burial. As a courtesy to patients, visitors and staff, the service animal will be taken outdoors for toileting by the partner or designated friend or family member, and all solid waste will be picked up by the handler/partner in a plastic bag and disposed of in outdoor trash bins. Partners with disabilities who physically cannot clean up after their own service animal may not be required to pick up and dispose of feces. However, these individuals should use marked service animal toileting areas when such areas are provided.
6. Feeding and Other Care: Provides the service animal with food, water, and other necessary care or decides through others (excluding staff) to do the same.
7. **Under no circumstances shall the staff or volunteers care for the service animal.**

When a Service Animal Can Be Asked to Leave

1. Disruption: The handler/partner of an animal that is unruly or disruptive (e.g., barking, running around, bringing attention to itself) may be asked to remove the animal from the facility. If the improper behavior happens repeatedly, the partner may be told not to bring the animal into any Family Hospital facility until the partner takes significant steps to mitigate the behavior. Mitigation can include muzzling a barking animal or refresher training for both the animal and the partner.

2. Poor Behavior: A service animal may be excluded from the facility when that animal's behavior poses a direct threat to the health or safety of others. For example, any service animal that displays vicious behavior towards other guests or customers may be excluded. A service animal may also be excluded from certain areas due to concerns for health and safety.
3. Ill Health: Service animals that are ill should not be taken into public areas. A partner with an ill animal may be asked to leave the facility.
4. Uncleanliness: Partners with animals that are unclean, noisome and/or bedraggled may be asked to leave the facility. An animal that becomes wet from walking in the rain or mud, or from being splashed on by a passing automobile, but is otherwise clean, should be considered a clean animal. Animals that shed in the spring sometimes look bedraggled. If the animal in question usually is well groomed, consider the animal tidy even though its spring coat is uneven and messy-appearing or it has become wet from weather or weather-related incidents.

Individualized Assessment

1. Individuals with disabilities shall be permitted to be accompanied by their service animal in all areas where members of the public and/or patients are permitted to go. However, it may be appropriate to perform an individualized assessment to exclude the service animal from areas such as the operating rooms where a sterile environment is critical to the services provided.
2. This assessment shall be based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence to ascertain: the nature, duration and severity of the risk; the probability that a potential injury will occur; and whether any reasonable modifications of policies, practices or procedures or the provision of auxiliary aids or services will mitigate the risk.
3. If it is determined, through an individualized assessment, that the service animal cannot be accommodated; staff shall, upon the request of the patient, arrange for visits between the service animal and the handler in an area of equivalent privacy and amenities.

Visitors with Service Animals

1. Service animals are generally permitted where visitors are permitted unless an individualized assessment is made to exclude a service animal.
2. Visitors with service animals may not be permitted to access restricted areas.
3. If a determination is made that a service animal cannot be accommodated in a certain area using an individualized assessment; then the visitor will be offered additional accommodations including but not limited to transferring the patient to another comparable room when available to allow unrestricted access.
4. Only if additional accommodation is not available will the visitor be given the option of removing the animal or having friends, family or accompanying persons remove the animal so the visitor may continue with the visit.

Emergency Situations

1. In the event of an emergency, staff that respond must recognize service animals and to be aware that the animal may be trying to communicate the need for help as the handler and/or animal may be confused from the stressful situation.
2. Staff will make every effort to keep the animal with its handler, however, the handlers' safety will always be the priority.
3. If the animal must be separated from the handler due to an emergency or evacuation, staff will transport the animal to a safe location and reunite the service animal with its handler as soon as it's safe to do so.
4. If a patient is no longer able to care for their service animal and is unable to arrange for someone else to care for the dog, staff should immediately contact the ECC. The ECC may place the dog in a boarding facility until the patient is able to care for the service animal or make other appropriate arrangements. The patient must be given an opportunity to make arrangements for the service animal prior to taking these steps.

Documentation

1. Staff must document whenever a service animal is accompanying a patient during their stay.
2. Staff must document any instances where a service animal is not permitted to accompany a patient based on the individualized assessment by the ECC.

REFERENCES

- The Americans with Disabilities Act of 1990 (42 U.S.C. 12181), known as the ADA, including changes made by the ADA Amendments Act of 2008 (P.L. 110-325).
- 28 CFR Part 36, revised as of July 1, 1994 entitled “Non Discrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities”
(http://www.ada.gov/regs2010/titleIII_2010/titleIII_2010_regulations.htm)
- Rehabilitation Act of 1973, Section 504
- Americans with Disabilities Act, Access To Medical Care For Individuals with Mobility Disabilities, published by the U.S. Department of Justice, dated July 2010 (http://www.ada.gov/medicare_mobility_ta/medicare_ta.htm)

APPROVAL

POLICY OWNER	Matt Alewine Chief Nursing Officer
COMMITTEE	Compliance and Risk Management Committee
MEDICAL EXECUTIVE COMMITTEE	Nathaniel Greenwood, DO. Chief Medical Officer
GOVERNING BODY	Family Hospital Management Company Governing Body

REVISION	CHANGES	DEPARTMENT APPROVAL	COMMITTEE APPROVAL	MEC APPROVAL	GB APPROVAL
New	Initial Release	10/25/2024	10/25/2024	10/25/2024	10/25/2024