

## **Service Animal Policy**

*HLS Procedure Number 019*

Throughout this policy, Healthcare Licensing and Surveys is referred to as HLS.

### **Policy:**

It is the policy of HLS that all surveyors will adhere to the Americans with Disability Act (ADA) with regards to the use of service animals in nursing care facilities, and other healthcare facilities.

### **Procedure:**

1. When surveying nursing care facilities, surveyors determine compliance with the Chapter 11 Rules and Regulations for Program Administration of Nursing Care Facilities (Wyoming Department of Health, Aging Division). According to Section 6 (b) (v) "Animals, birds, and other pets shall be allowed in the Nursing Care Facility with the approval of the resident council and: (C) The pet is not allowed in the residents' dining room during dining hours or in any food preparation area."
2. If the surveyor encounters an animal in the dining room during meal times, the surveyor will determine if the animal is a service animal for an individual with a disability. Service animals are exempt from the rule stated above (#1), and surveyors will allow the service animal to remain with the individual. This would not constitute deficient practice.
3. When determining if the animal is a service animal, HLS will use the definition provided by the Americans with Disabilities Act. According to the U.S. Department of Justice's ADA Business Brief, *Service Animals*, published April 2002, a service animal is defined as: *Animals that are individually trained to perform tasks for people with disabilities such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks. Service animals are working animals, not pets.*

If you are not certain that an animal is a service animal, you may ask the person who has the animal if it is a service animal, required because of a disability or what tasks the animal has been trained to perform; however, in determining whether or not an animal is a service animal you must not ask about the person's disability. A service animal does not have to be licensed or certified by a state or local government; therefore, documentation of licensure or certification is not required for an animal to service as a service animal.

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