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| SERVICE DOG INFORMATION The **Nevada's Attorney General** would be the place to read more about what is considered a service dog in Nevada: <http://www.servicedogcentral.org/content/node/28>   This web site answers many questions regarding service dog licensing/certification: <http://servicedogcentral.org/content/faq/62> A **few of these questions/answers follow about Service Dogs:** [Do you have to have a license to train a service dog?](http://servicedogcentral.org/content/node/369)  U.S. Federal law recognizes an animal as a service animal once it is trained to perform tasks that mitigate the disability of a disabled owner, **without regard for how that animal got trained. It is therefore possible to train a service dog without a license.**However, in some states only licensed trainers from recognized programs are afforded the same public access rights as people with disabilities with fully trained service dogs. Consult your state's Attorney General for information on whether private trainers have public access rights for training. If not, you may only train in facilities that have given you permission. [How do you certify, license or register a service animal?](http://servicedogcentral.org/content/node/352)  *Certification* means that the dog has been tested and shown to meet certain minimum standards.Most countries only recognize service animals from approved programs. In those **countries the programs certify their own dogs**. **There are no standards or procedures for certifying a service animal under U.S. Federal law. Certification is not required as a condition of using an animal as a service animal. However, the person using the animal must meet the legal (not medical) definition of "disability" and their dog must be individually trained to perform tasks that mitigate the owner's disability. They must also have sufficient training to behave appropriately in public (no barking, making unwanted contact with other members of the public, or disrupting business by misbehaving). Service animals who pose a direct threat to others by growling, lunging, or otherwise menacing people can be barred from public access.**Fake certification is for sale over the Internet. You can check whether a certificate is from a legitimate service dog program or a scam business selling fake certification by doing a Google search on the name of the certifying agency. If it's a scam, it will be apparent from a quick review of their website because they will sell their certification to anyone for a fee without ever actually training or evaluating the dog themselves. These organizations prey on the disabled, selling them something they don't need for $40-$250 that they could produce at a copy center for under $5 (if they did need it, which they don't). They are a haven for pet owners wanting an easy way get a pet into motels, on planes, or to take Fifi shopping on a lark. These businesses do a great disservice to real service dog teams by bluffing business owners into accepting ill-behaved pets as trained service animals and by taking money out of the pockets of the disabled themselves. These fakers in turn diminish the reputation of real teams by behaving inappropriately. **Real service animals don't need certification**. A business may verify an animal is a service animal by asking whether it is required because of the person's disability and what the dog is trained to do to mitigate that disability. They may ask this regardless of whether a dog is "certified," and an owner who refuses to answer can be barred from the facility.A *license* is something that all dogs are required to have. Individual states, counties or cities may provide licenses in accordance with their own laws or ordinances. Service animals are not exempt from any licensing requirements of local authorities. If dogs residing inside the city limits are required to wear a city license tag, then this also applies to service dogs. In some states, counties, or cities, special service animal licenses are available in lieu of a regular dog tag, but they cannot be required as a condition of access. Some localities also waive the licensing fees for service animals, but this varies.Service animal *registration* is a scam. It is a for profit business. It's purpose is to make money at the expense of gullible people with disabilities and those who just want it easier to break laws. Registration means nothing because the dog is never evaluated, never even seen by the agency issuing the registration. It's just a piece of paper that any idiot can buy for between $40 and $250 dollars and that could just as easily be printed on a home computer for a few cents. Registration scams exist primarily to help pet owners pass off their pets as service animals so they can get them on airplanes, into motels, and into stores with them. Real service animals don't need this kind of registration.**How was the definition of "service animal" changed July 23, 2010?**On July 23, 2010, Attorney General Eric Holder signed final regulations revising the Department’s ADA regulations, including a revised definition of “service animal.” This final rule was published in the Federal Register September 15, 2010, and the effective date is six months after that publication.Effective March 15, 2011, “Service animal means 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. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the **individual´s** disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal´s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.”Key changes include the following:1. Only dogs will be recognized as service animals.2. Service animals are required to be leashed or harnessed except when performing work or tasks where such tethering would interfere with the dog's ability to perform.3. Service animals are exempt from breed bans as well as size and weight limitations.4. Though not considered service animals, businesses are generally required to accommodate the use of miniature horses under specific conditions.Until the effective date, existing service animals of all species will continue to be covered under the ADA regulations.Existing policies that were clarified or formalized include the following:1. Dogs whose sole function is “the provision of emotional support, well-being, comfort, or companionship” are ***not considered service dogs under the ADA***.2. The ***use of service dogs for psychiatric and neurological disabilities is explicitly protected under the ADA***.3. “The crime deterrent effects of an animal's presence” do not qualify that animal as a service animal and “an animal individually trained to provide aggressive protection, such as an attack dog, is not appropriately considered a service animal.”  These previously existing policies are already in effect. [What's the difference between a psychiatric service dog and an emotional support animal?](http://servicedogcentral.org/content/node/364)  A psychiatric service animal is individually trained to perform tasks that the owner cannot perform because of a disability as defined by the Americans with Disabilities Act. Psychiatric service animals, like all other service animals, assist their disabled handlers by performing these tasks. However, while the owner of an emotional support dog must also be disabled, the emotional support dog is not trained to perform tasks to mitigate the owner's disability. Therapy animals are sometimes confused with psychiatric service animals or emotional support animals. However, therapy animals are something entirely different. A therapy animal is one that is trained, tested, registered, and insured to visit people in hospitals and nursing homes. A person with a therapy animal has no particular right under the ADA to take their animal anywhere pets are not permitted. If the owner wishes to visit a facility like a hospital or nursing home, they must first seek out and receive the permission of administrators at the facility they wish to visit.According to the U.S. Department of Justice, which regulates and enforces the Americans with Disabilities Act (ADA):"The Department is proposing new regulatory text in § 36.104 to formalize its position on emotional support or comfort animals, which is that ''[a]nimals whose sole function is to provide emotional support, comfort, therapy, companionship, therapeutic benefits, or promote emotional wellbeing are not service animals.'' The Department wishes to underscore that the exclusion of emotional support animals from ADA coverage does not mean that persons with psychiatric, cognitive, or mental disabilities cannot use service animals. The Department proposes specific regulatory text in § 35.104 to make this clear: ''[t]he term service animal includes individually trained animals that do work or perform tasks for the benefit of individuals with disabilities, including psychiatric, cognitive, and mental disabilities.'' This language simply clarifies the Department's longstanding position."The ADA gives the disabled owner of a service dog the right to be accompanied by his or her service dog to most places where the public are permitted, even if dogs are not generally allowed. However, the owner of an emotional support dog has no particular right to public access and must ask permission of the management to enter with an emotional support animal. Under the Fair Housing Amendments Act, a qualified person with a disability may request a reasonable accommodation in the form of a modification of rules against the keeping of pets in order to keep EITHER a service animal or an emotional support animal.Under the Air Carrier Access Act, a qualified person with a disability may be accompanied in the cabin of an air craft by either a psychiatric service dog or an emotional support animal if they have the proper documentation from their doctor. [Where can I get a cape and ID for my service dog?](http://servicedogcentral.org/content/node/145)  You can find these items with a simple Internet search, but before you do, consider this:Special gear like harnesses, vests or capes, or special ID or notes from doctors do not make a dog a service dog. Trying to pass off a dog that isn't actually trained as a service dog and actually working for a person with a disability or faking a disability is illegal and may result in prosecution, fines, jail time and/or loss of future benefits.  [If I'm not really disabled, couldn't I qualify for a service dog under "the third prong?"](http://servicedogcentral.org/content/node/144)  The U.S. Department of Justice [defines disability](http://www.ada.gov/reg3a.html#Anchor-36104) in the Codes of Federal Regulations:"Disability means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment."The "third prong" is "being regarded as having such an impairment."The premise is that even if a person isn't disabled, if they can convince others to think they are, perhaps by telling them so and using a service dog, then that makes the disabled under the ADA and they actually do qualify for a service dog. Yes, it's circular logic and not actually true.Several courts have ruled that a service dog must be individually trained to perform tasks that mitigate the disability of their handler. Without an actual disability, there is no disability to mitigate, and no tasks that can be trained that mitigate the non-existing disability. Without trained tasks that mitigate the disability, the dog is not a service dog.The ADA wasn't meant to create a privileged class that has rights over and above those of other citizens. On the contrary: it was created in an attempt to give those with fewer rights than other citizens a leg up to a more equitable existence. A blind person who uses a guide dog is using that dog to compensate for his lack of sight. A guide dog is a poor substitute for actually being able to see, but it is one of the better compensations available. Legitimately disabled people would gladly retire their service dogs to pet status in exchange for being able to do for themselves the simple things in life that everyone else takes for granted.People mean-spirited enough to dig for a ridiculous loop hole like this one deserve every legal consequence of impersonating a person with a disability in order to gain rights or benefits not due them. Fortunately, there are laws in place to punish such people with fines, prison terms, and/or loss of future benefits (such as Medicare, Social Security Benefits, Food Stamps, etc.). **MORE:**Here is a quick blog answering/commenting on some of these ethical issues in "certification" <http://www.dogster.com/forums/Service_and_Therapy_dogs/thread/739429>The **U.S. Department of Justice,**Civil Rights Division, *Disability Rights Section (on-line)* offers frequently asked questions about service dogs: <http://www.ada.gov/qasrvc.htm>       |
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