**Healthcare 101: Service and Emotional Support Animals**

Emotional Support and Service Animals recently made headlines when a New Jersey woman unsuccessfully attempted to [bring her Emotional Support peacock, “Dexter,”](https://www.youtube.com/watch?v=0AevlbMEqEg)aboard a domestic flight. While Dexter’s attempted cross-country flight made for great water cooler fodder, it also raised a number of questions about the distinction between Service and Emotional Support Animals, as well as their owners’ rights and responsibilities.



In an effort to answer some of these questions, this article will look at the medical applications and legal standing of both types of animals.

**What’s the Difference?**

**Service Animals (SA)**are individually trained to perform specific tasks that help an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Training typically takes between 18 and 24 months and these animals are legally considered medical equipment. Service animals can perform a wide variety of patient-specific actions, including pulling a wheelchair, retrieving dropped items, alerting a person to a sound, reminding a person to take medication, or pressing an elevator button.

While the Americans with Disabilities Act (ADA) specifically identifies dogs as valid service animals, other domesticated animals like pigs, monkeys and even miniature horses can be trained as service animals. Unlike emotional support animals, Service Animals must be prescribed by a patient’s medical team.

**Emotional Support Animals (ESA)**are not trained to perform specific tasks, but rather provide their owner with psychological or physical comfort and are legally considered “pets” rather than medical equipment. There are many companies online that offer emotional support animal “certification” complete with vests and tags in exchange for a fee, however these certifications are not recognized by any organization or law.

Alternatively, doctors can designate an animal as an ESA by writing a letter for the patient that states they have a mental illness recognized by the Diagnostic and Statistical Manual of Mental Disorders, the animal’s presence is part of the patient’s ongoing care and that the patient is currently under the care of the doctor issuing the letter and ESA designation. This documentation gives ESA owners some additional rights covered below.

**Support/Service Animals and the Law**

**Service Animals**and a patient’s rights to keep them near are protected under the ADA. Generally speaking, patients can bring a service animal to any public place, provided they are under control of the patient and are not interrupting the normal operations of a business. There are, however some restrictions: a patient can be asked to remove the service animal if it behaves in a way that endangers others, and the animal can not perform actions that violate public health codes, like swimming in a public pool or sitting and eating at a table with the patient. Under the ADA, there is no obligation for a business to provide care for, clean up after or otherwise provide a service for the animal. Finally, a patient may bring and keep a service animal in any hotel room, home or apartment even if the owner has a policy against pets (since the animal is legally considered medical equipment.)

If a patient wishes to bring a service animal into a business or other public facility and the staff would like to verify the animal’s status as a service animal, they may only ask the patient 2 questions:

1.    Is the animal required because of a disability?

2.    What work or task has the animal been trained to perform?



If the patient answers in the negative or cannot explain the tasks the animal performs, they may be asked to leave the establishment.

Since **Emotional Support Animals** are still legally considered pets, they lack many of the protections offered to service animals. The Fair Housing Act indicates that doctor-prescribed emotional support animals may be brought to and live in residences with a no pets policy, however this is one of the few exceptions enjoyed by Emotional Support Animal owners. Beyond this cut out, all laws that apply to traditional pets and their owners apply to those with Emotional Support Animals trying to enter a public facility or business and may be asked to remove their pet by the staff.

**Air Travel**

Under the Air Carrier Access Act (ACAA), US airlines are required to allow service and emotional support animals into the passenger cabin, provided the passenger can verify their status.

To verify an animal is a service animal air carriers may ask to see identification cards, written documentation, presence of harnesses or tags, or ask for verbal assurances from the individual with a disability using the animal. If airline personnel are uncertain that an animal is a service animal, they may ask one of the following:

1. What tasks or functions does your animal perform for you?
2. What has your animal been trained to do for you?
3. Would you describe how the animal performs this task for you?

To verify a passenger’s pet is an emotional support animal, the airline may request a letter written within the last year from a doctor actively caring for the patient that confirms the animal assists in the patient’s ongoing care in managing the symptoms of a mental illness listed in the Diagnostic and Statistical Manual of Mental Disorders.

            That said, an airline does have the right to deny a service or emotional support animal access to a flight if the animal’s size, cleanliness or behavior might impact the safety of other passengers or might interrupt normal cabin service. As a result, service and support animal users are strongly encouraged to call an airline prior to their flight to determine what is permitted.

            We at SelectCare hope you find this article useful. Service and Emotional Support Animals are becoming increasingly common in long-term care settings, and we at SelectCare are here to support clients and their service animals alike.

To learn more about how SelectCare helps New Yorkers (and their furry friends) live happier, healthier lives in their long-time homes, [call SelectCare today](https://www.selectcarenyc.com/contact-us/) or [request a free in-home care guide](https://www.selectcarenyc.com/request-our-free-home-care-guide/).