

Title:	Service Animals
Purpose:	This policy will serve to guide Honolulu EMS personnel on the proper handling and transport of service animals;
Reference:	1. Americans with Disabilities Act (42 U.S.C. 12101 et seq.) 2. Hawaii Revised Statutes § 291C-124(b), 3. Revised Ordinance of Honolulu Section 15-24.22(b)

## I. Scope

This policy applies to the recognition, handling and transport of service animals.

## II. Definitions

The ***Americans with Disabilities Act*** (ADA) defines a service animal as “*any dog<sup>1</sup> 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.*”

A service animal is not a pet. Service animals perform a specific function or task-directly related to the individual’s disability. Dogs that are not trained to perform a specific task but provide “comfort”, a sense of “well-being” or “emotional support” by their presence are considered “comfort or emotional support animals” and are not covered by the ADA or this policy.<sup>2</sup>

## Policy

The EMS Division recognizes that service animals play a very important role in the life of people with disabilities, and it is our policy to transport the patient and their service animal whenever it is safe for the crew, patient and animal. Honolulu EMS will apply this policy in a fair and non-discriminatory manner, consistent with applicable laws.

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<sup>1</sup> In addition to the provisions about service dogs, the Department of Justice’s revised ADA regulations have a new, separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. Entities covered by the ADA must modify their policies to permit miniature horses where reasonable.

<sup>2</sup> The ADA does not cover emotional support animals or comfort animals. Other laws such as the Federal Fair Housing Act and the Air Carriers Act recognize and have provisions for emotional support animals or comfort animals.

**Procedure:**

**A. Recognizing Service Animals**

The ADA regulations do not require service animals to be certified or licensed, nor are they required to have any identification such as a vest or tag indicating they are a service animal. Service animals are highly trained and well behaved. Service animals stay close to their owner/handler and remain under their control at all times.

1. Two questions may be asked to help determine if the dog is a service animal (these should not be asked if the need for the service animal is obvious; i.e. a guide dog leading a person with a visual disability):
  - a. "Is the animal required because of a disability?" (A person need only affirm that the animal is required due to a disability.)
  - b. "What work or task has this animal been trained to perform?"
2. The person may not be asked to explain what disability they have for the purpose of determining whether or not the dog is a service animal.
3. Questions about the details or scope of this policy, or with particular determinants about the transport of a service animal are to be directed to the District Chief or if the District Chief is unavailable, to the Assistant Chief of Operations.

**B. Transportation of Service Animals:**

1. Service animals shall be transported in a manner that is safe for the patient, service animal and crew.
  - a. If possible, the service animal's personal crate, cage or carrier may be used if the patient has one available and can direct staff to its location.
  - b. Hawaii Revised Statutes § 291C-124(b) requires the following when an animal is being transported in a vehicle:
    - The animal may not sit or be held in the driver's lap or be allowed in the immediate area of the driver. Any animal or object may not interfere with the driver's ability to control the driving mechanisms of the vehicle.

2. The animal shall be transported in the patient compartment of the ambulance.
  - a. Revised Ordinance of Honolulu Section 15-24.22(b) requires the following when the animal is being transported in a vehicle:
    - The animal shall be totally enclosed within a vehicle, within a secured container carried in a vehicle, or securely cross-tethered to a vehicle in such a way as to prevent the animal from falling out of a vehicle when transporting an animal.
3. When it is not possible to transport the service animal in an EMS vehicle, staff must arrange for transport by other means (i.e. a friend, family member, or other available resource to transport the animal to the hospital.)

**C. When transport of service animals is not possible:**

1. Service animals, may be restricted from accompanying the patient in the following circumstances:
  - a. The service dog's presence will hinder EMS's ability to treat the patient with a disability. In this circumstance, EMS must make other arrangements to have the dog transported to the hospital.
  - b. The animal is not in control of the handler and the handler does not take effective action to control the animal. Handlers may control a dog by leash, harness, tether, or by other effective means such as voice commands or signals.
    - An animal's behavior poses a direct threat to the health or safety of others. For example, any service animal that displays vicious behavior towards others may be excluded. EMS staff need to recognize that the behavior of the service animal may be due to the emergency situation. A service animal may appear to be acting in an aggressive or unusual manner but is actually performing the task it is trained to do. (For example: Some service dogs are trained to keep people away from their handler if their handler is having a seizure; other service dogs may be trained to prevent or interrupt destructive behavior for individuals with psychiatric or neurological disabilities by pulling them away from other people.)

- You may not make assumptions about how a particular animal is likely to behave based on your past experience with other animals. Each situation and each service animal must be considered individually.
- c. The animal is not housebroken.