

SUBJECT: Service Animals Policy

PURPOSE: Disseminate information to ensure compliance with federal and state disability laws and regulations, including:

- Title III of the Americans with Disabilities Act of 1990
- Section 504 of the Rehabilitation Act of 1973
- Unruh Civil Rights Act
- California Disabled Persons Act

To provide guidelines for the management of patients and visitors with disabilities who use service animals, including dogs, while maintaining a safe environment for patients, visitors, staff and members of the public

POLICY:

Definition of a Service Animal:

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 or the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Policy Implementation and Compliance Measures:

A. Notification:

1. Upon initial observance of/or a request to be accompanied by a service animal, the Director of Operations or Office Manager shall be notified.

B. Inquiries:

1. Unless it is readily apparent that an animal is trained to do work or perform tasks for a patient/visitor with a disability, the patient/visitor may only be asked the following two questions to determine whether an animal qualifies as a service animal:

- a. Is the animal required because of a disability; and,
 - b. What work or task has the animal been trained to perform.
2. Patients/visitors may not be asked:
- a. About the nature or extent of their disability;
 - b. To provide documentation of the disability;
 - c. To provide a demonstration of the service animal's work or task; or,
 - d. To provide proof that the animal has been certified, trained, or licensed as a service animal.

C. Control, Care, and Supervision of the Service Animal:

1. A service animal must be under the control of its handler at all times.
 - a. The handler must ensure that the service animal is not out of control, disruptive or aggressive, i.e. barking, growling, wandering off leash, approaching other patients/visitors/staff, jumping or sitting on furniture, or other behaviors which may interfere with the provision of care
2. The handler is responsible for caring for and supervising the service animal at all times.
 - a. This includes toileting, exercise, feeding, grooming and veterinary care.
 - b. Clean-up of the service animal's urine, feces, or other bodily fluids is the responsibility of its handler and should be followed by standard disinfection protocols.
3. A service animal must have a harness, leash, or other tether, unless:
 - a. The handler is unable because of a disability to use a harness, leash, or other tether; or,
 - b. The use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
 - c. Dogs in Training: Dogs that are being trained as a service animal must be on a leash.
4. A handler may designate another responsible adult (not to include Beverly Hills Technical Imaging personnel) to maintain care, supervision and control of the service animal.
 - a. A service animal may not be left alone or unsupervised at any time while on Beverly Hills Technical Imaging premises. This includes being left alone in an exam or patient room while the handler is receiving care or treatment in another room or location.

D. When appropriate, Beverly Hills Technical Imaging personnel shall request a patient accompanied by a service animal to identify an individual who is willing and able to maintain care and control of the animal in the event the patient is unable to do so.

1. Beverly Hills Technical Imaging is not responsible for the care or supervision of a service animal.
2. In the event a patient is unable to maintain care and control of the animal and has not identified an individual willing and able to assume care and control of the animal:

- a. The patient will be offered an opportunity to reschedule services for a time when they are able to make appropriate arrangements for another responsible adult to maintain care and control of the service animal.

E. *Removal of Service Animal:*

1. A patient/visitor may be asked to remove a service animal from Beverly Hills Technical Imaging premises if:
 - a. The animal is out of control and the handler does not take effective action to control it;
 - i. In circumstances where a service animal misbehaves or responds to a provocation or injury, the handler may be given a reasonable opportunity to gain control of the animal.
 - ii. If the handler asserts that the animal was provoked or injured, or if there is reason to suspect that provocation or injury has occurred, the Director of Operations or Office Manager shall be notified and appropriate action shall be taken to ensure the safety of patients, visitors, and staff, as well as the service animal. This may include requesting the provocateur to leave the area;
 - b. The animal is not “housebroken”;
 - c. The use of the animal would fundamentally alter the nature of the goods, services, facilities, privileges, advantages, or accommodations provided by Beverly Hills Technical Imaging
 - i. “Fundamentally altered” means a change that is so significant it alters the nature of the facility or services offered.
 - d. The animal poses a direct threat to the health and safety of others.
 - i. The Director of Operations, Office Manager, Physician or other licensed healthcare provider responsible for the care of the patient shall make an individualized assessment of the service animal, the patient, and the situation and ascertain:
 - The nature, duration, and severity of the risk;
 - The potential for harm to occur; and
 - Whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services may mitigate the risk.
 - ii. This assessment is based on the service animal’s actual behavior or history and not on fears or generalizations about how a particular animal or breed might behave.
2. A service animal may not be arbitrarily excluded because:
 - a. Beverly Hills Technical Imaging personnel may be able to perform the same services that the service animal does (e.g., retrieving dropped items and guiding an otherwise ambulatory person to the restroom) or otherwise perceive a lack of need for the service animal during the patient’s/visitor’s stay; or
 - b. Other patients, visitors or staff in the area are allergic to the service animal.
 - c. When an individual who is allergic to the service animal and a patient/visitor who

uses a service animal must spend time in the same room or building, they are both accommodated by being assigned, if possible, to different locations within the room or different rooms within the building.

- d. When a service animal is properly excluded, the patient/visitor with a disability shall be given the opportunity to obtain goods, services, and accommodations from Beverly Hills Technical Imaging without having the service animal on the premises.

F. Access to Beverly Hills Technical Imaging areas:

1. Permitted: A patient/visitor with a disability is permitted to be accompanied by their service animal in all areas of Beverly Hills Technical Imaging in which that patient/visitor would otherwise be allowed without taking additional precautions to prevent transmission of infectious agents. This generally includes areas such as registrations, examining, restrooms, and all other areas at Beverly Hills Technical Imaging where healthcare personnel, patients, and visitors are permitted without taking added precautions. The requirements regarding control, care, and supervision of the animal, set forth in Section C above, apply in all such instances.
2. Not Permitted: A service animal may be excluded from areas where additional safety measures beyond routine PPE are required or where the service animal may be exposed to a hazardous environment, including but not limited to locations where diagnostic imaging and general radiology procedures are performed.
 - a) Exceptions may be made on a case-by-case basis depending on the service provided by the animal and needs of the patient.
 - b. Beverly Hills Technical Imaging reserve the right to modify the list of identified areas and units at any time in compliance with federal and state law, in furtherance of this Policy or to ensure the safety of patients, visitors, staff and service animals accompanying patients or visitors.
3. Dogs in Training: Dogs in training are not considered to be service animals under Federal law. Individuals with a disability and persons who are authorized to train service animals for individuals with a disability may take their dogs, for the purpose of training them as service animals, only in areas where the general public is allowed. The dog must be on a leash and tagged as a guide dog, signal dog, or service dog by identification tag issued by the county clerk, animal control department, or other agency, as authorized by Chapter 3.5 (commencing with Section 30850) of Division 14 of the California Food and Agricultural Code.

G. Health and Safety Precautions:

1. Service animals are not permitted to come in contact with patients' non-intact skin, such as surgical sites, drainage tubes, and wounds.
2. All Beverly Hills Technical Imaging personnel must wash their hands or disinfect with alcohol hand-rub after direct contact with the service animal.
3. Injuries to or caused by a service animal are reported to the Director of Operations or Office Manager. The injured party shall be referred to the appropriate area for medical evaluation and care.

4. Sanitation Policy: Standard cleaning procedures are sufficient following occupation of an area by a service animal.

H. Surcharges:

1. A patient/visitor may be charged for damage caused by their service animal.
2. Dogs in Training: Trainers may be liable for damage caused by the dog-in-training.

I. Other (Non-Service) Animals:

1. When a patient/visitor requests that Beverly Hills Technical Imaging make an exception to this Policy to permit the use of an animal other than a service dog (e.g. emotional support/comfort animal, companion animal, pet), the Director of Operations or Office Manager shall be notified. The Director of Operations or Office Manager shall determine an appropriate response based on an individualized assessment of the situation and the nature of the services involved.
2. If the use of the animal is permitted, Sections A – G of this policy, excluding those relating to dogs in training, shall apply at all times to the non-service animal.

J. References

1. Service Animal Work Flow Document (attached to this policy)
2. Title III of the Americans with Disabilities Act of 1990, 42 U.S.C. 12181 and its implementing regulations, 28 CFR Sections 36.104, 36.208, and 36.302(a) and (c)
3. Section 504 of the Rehabilitation Act of 1973 and its implementing regulations, including 45 CFR Part 85
4. Unruh Civil Rights Act, Cal. Civil Code Section 51 et seq.
5. Disabled Persons Act, Cal. Civil Code Section 54 et seq.
6. Murthy R. et al, Animals in Healthcare Facilities: Recommendations to Minimize Potential Risks, Journal of Infection Control and Hospital Epidemiology, March 2015, pp 1-22.
7. ADA 2010 Revised Requirements
8. Department of Justice - Frequently Asked Questions about Service Animals and the ADA
9. Guidelines for Environmental Infection Control in Health-Care Facilities (page 109)