

Resources

This publication provides succinct guidance on service animals in places that are open to the public.

Further reading from the U.S. Department of Justice:

ADA Requirements, Service Animals

https://www.ada.gov/service_animals_2010.htm

Frequently Asked Questions about Service Animals and the ADA

https://www.ada.gov/regs2010/service_animal_qa.html

ADA Business BRIEF: Service Animals

<https://www.ada.gov/svcanimb.htm>



MASSACHUSETTS OFFICE ON DISABILITY

Massachusetts
Office on Disability
One Ashburton Place
Room 1305
Boston, MA 02148

Phone: 617-727-7440

Fax: 617-727-0965

Web: mass.gov/mod



[@MassDisability](https://twitter.com/MassDisability)



blog.mass.gov/mod

MASSACHUSETTS OFFICE ON DISABILITY

*“Full and equal participation
in all aspects of life by
persons with disabilities”*

Service Animals

and

Public Accommodations in Massachusetts



Tel: 617-727-7440

Charles D. Baker, Governor
Karyn E. Polito,
Lieutenant Governor
David D’Arcangelo, Director

What is a service animal?

Only **dogs** meet the definition of service animal under the Americans with Disabilities Act (ADA) with the exception of miniature horses.

A service animal is a dog or miniature horse that has been

individually trained to **perform a task or service** to assist a person with a disability.

Examples of services: Guiding a person who is blind, alerting a person who is deaf, interrupting a compulsive behavior, retrieving objects, etc.

Animals whose sole function is to provide comfort or emotional support are not service animals but may have to be allowed in the housing context.

What about "certification"?

Service animals are **not** required to possess any certification or identification, nor are service animals required to sport a particular vest or badge.

Although there are rigorous, formal service animal training programs, Americans with disabilities have the right to train their animal themselves.

An individual with a disability accompanied by a service animal may not be asked to provide documentation of a disability, to answer questions regarding his or her disability, or to have the service animal demonstrate its work.

Only when the individual's disability is **not obvious**, staff may ask the following **two** questions:

1. Is the animal a service animal required because of a disability?
2. What task or service is the animal trained to perform?

The law requires staff to take the individual at their word.

Rights & Responsibilities

Service animals:

- Are permitted to go wherever their handler is permitted to go.
 - Are allowed even if others have fears of or allergies to dogs.
 - Must be under the handler's control at all times. In most cases this means on a harness or leash.
 - Must be housebroken.
 - May not pose a legitimate, direct threat to health or safety.
 - Do not have to be allowed to sit on furniture meant for patrons or to eat from plates provided by a food service establishment.
- In Massachusetts, **service animals in training** have the same status as fully trained service animals.