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Approved:	Revised:	

POLICY:

It is the policy of Ruxton Surgicenter to adhere to ADA requirements while assuring health and safety of all patients and staff.

PURPOSE:

Service animals provide persons with disabilities a dignified way to remain integrated in their communities. In the 80+ years that service animals have been trained and in-use in the United States, there is no appreciable evidence to suggest that healthy, vaccinated, well-trained service animals pose any threat to public health and safety that is significantly greater than the risks posed by the general public.

No reported clusters or epidemics of incidents that have been reported have been attributed to service animals, implying that the health and behavior management of service animals has generally been adequate to control their risks as sources of zoonosis.

Service animals meet their handler's disability related needs, often more efficiently than other persons or equipment. They provide their handlers with enhanced functional ability and quality of life.

All healthcare workers and ancillary staff that have contact with patients or the public must understand their rights and their obligations to persons with disabilities who are accompanied by service animals.

DEFINITION:

- Service animal means an animal 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.
- The work or tasks performed by a service animal must be directly related to the handler's disability.

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- 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.
- Under the Americans with Disabilities Act (ADA), businesses and organizations that serve the public must allow people with disabilities to bring their service animals into all areas of the facility where customers are normally allowed to go.
- This federal law applies to all businesses open to the public, including healthcare facilities.

Healthcare Facilities are affected by Laws that Apply to Service Animals

- Healthcare facilities are covered under the ADA and considered places of public accommodation. Title III of the ADA requires that places of public accommodation, including healthcare facilities, modify their policies and procedures to permit the use of a service animal by a person with a disability, unless doing so would create a fundamental alteration or a direct threat to the safety of others or to the facility.
- Since service animals meet disability-related needs, they may be found in various areas of the healthcare system, accompanying individuals who are employees, patients, visitors, instructors, patients, volunteers or others.
- Healthcare facilities may receive conflicting directives about having service animals on the premises. States and localities may have laws that also affect service animals. When these laws conflict with federal laws, the law that provides greater protection to the person with the disability is the law that prevails; that is, the law that is less restrictive for the person with the disability takes precedence.

Identification of Persons with Disabilities and Service Animals

- The intent of the ADA is not to put a public accommodation into the role of policing the legitimacy of a person's claim of a disability or of an animal's function. Rather, its aim is to ensure that the goods and services of a public accommodation are readily accessible to persons with disabilities, regardless of their types of disabilities or the assistive equipment they may use.
- The ADA prohibits a public accommodation from requiring "certification" or proof of an animal's training, or proof of a person's disability for the purposes of access.

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- There is no legal requirement that a service animal wear special equipment or tags.
- Healthcare facilities, like other places of public accommodation, are advised by the US Department of Justice, Civil Rights Division to accept verbal reassurance of the person that she or he has a disability (and is therefore protected by the ADA), and that the animal is a service animal.
- Under the ADA regulations, staff at facilities subject to the ADA, can only ask two questions: 1) is the animal a service animal? and 2) what work or task has the animal been trained to perform? Staff cannot ask about the person's disability, require medical documentation, or ask that the service animal demonstrate its ability to perform the work or task. Nor can they require documentation, such as proof that the animal has been certified, trained or licensed as a service animal. These laws supersede any state laws requiring animal owners to provide such documentation.
- Unnecessary inquiry into the nature of the disability, or requiring "proof" or identification of the person's disability or the animal's training, is prohibited by the ADA and other federal nondiscrimination laws.
- Minimal inquiry is best; this acknowledges the privacy needs of the person with a disability.
- Brief observation of the behavior of the animal should help in assessing whether the animal constitutes a direct threat to the health or safety or a fundamental alteration to the nature of the business. If the animal's presence or behavior creates such a direct threat or fundamental alteration, it does not have to be tolerated by the healthcare facility.
- Exceptions. A public accommodation may ask an individual with a disability to remove a service animal from the premises if:
 - The animal is not held on a leash or harness (unless these devices interfere with the animal's work or the individual's disability prevents using these devices).
 - The animal is out of control and the animal's handler does not take effective action to control it (i.e. uncontrollable barking or whining, lunging, jumping, growling or otherwise behaving aggressively), or
 - The animal is not housebroken.
- It is important for healthcare providers to differentiate between actual risks posed by a service animal, and mere inconvenience or displeasure with the presence of the service animal.
- Healthcare providers must make their goods and services available to persons accompanied by service animals without isolating, segregating, or otherwise discriminating against those persons.
- Published studies about risks posed by animals include zoonotic disease transmission, trauma, the triggering of allergic reactions, and disruptive or destructive behaviors.

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- The actual risk that a service animal presents will be affected by many factors, including its health and hygiene, behavior, contact with others, frequency of that contact, the environment, the ability of the handler to manage its behavior, and the effects of simple preventative measures (i.e. hand washing) to reduce the risk of disease transmission.

Hand Hygiene for Employees, Clients, Handlers and Visitors

- Adherence to proper hand hygiene protocols is an essential activity in the healthcare setting and a fundamental part of the facility's Infection Control Program. Facility staff members are trained in proper hand hygiene protocols and compliance is monitored on an ongoing basis.
- Patients, visitors and staff should practice proper hand hygiene before and after direct contact with the service animal, its equipment or other items with which it has been in contact.
- Antimicrobial soap is not required; a waterless agent approved for use in the facility may be used.
- The facility provides patients, visitors and staff with alcohol based, waterless agents throughout the facility to facilitate compliance with proper hand hygiene protocols.
- Facility staff should instruct handlers to suggest proper use of alcohol based, waterless agents to anyone who wishes to touch the animal.

Handler and Client Education

- Handlers, whether employee, visitor, patient or other, must understand that the animal is not allowed to come into contact with any patient's non-intact skin (surgical sites, drainage tubes, wounds, etc.).
- Handlers should be informed of any facility areas that are usually open to them but are off-limits to service animals (i.e. sterile corridor).
- Facilities should not permit handlers with service animals to act as self-appointed, animal assisted, "pet therapy" providers. Although it may be possible to identify certain areas where a service animal could not reasonably be permitted (i.e. an operating room where gowns and masks are required), other areas may be subject to a case-by-case determination, based on the circumstances of the individual service animal.
- If persons are allowed to be present without being required to observe special precautions (gowning, scrubbing etc.), it would be difficult to argue that a clean, healthy, well-behaved service animal should be denied entrance.

Zoonotic Risks

- There are NO substantiated, published studies that have determined the statistical risks associated with healthy, vaccinated, well-cared for and well-trained service animals.

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- There is NO substantial case-reporting data to indicate that service animals pose any greater threat than the average person.
- Hand hygiene before and after contact with a service animal can effectively reduce the risk of zoonotic disease transmission.

Service Animal Health

- If a service animal does exhibit a condition that presents a direct threat to the health or safety of others, then the animal may be removed, restricted or denied access to the areas, or additional information may be required about the animal if it is necessary to protect public health and safety.

Area Clean Up

- No special housekeeping methods are needed, provided there is no contamination with animal urine, feces, vomit, or blood (organic debris).
- If the service animal has contaminated an area, the cleanup procedures should be performed by using appropriate personal protective equipment (PPE). Gloves are the minimum protection that should be used during the clean up process.
- Any 'spill' should be removed with paper towels, which should be placed in a plastic bag in a trash container, similar to the disposal of diapers.
- After removal of the organic debris, the area of the spill should be cleaned with a facility-approved disinfectant, following label instructions for adequate contact time to ensure disinfection.
- Allergic reactions to the animal can occur among staff, patients, visitors or others. Avoiding or limiting contact with the service animal's saliva, dander, and urine will help mitigate allergic reactions. According to the American Academy of Allergy, Asthma and Immunology, dog or cat allergies occur in approximately 15% of the population.
- If an allergy is severe enough to cause impairments that substantially limit one or more major life activities (i.e. the allergy causes a disability as defined in the ADA), both the person with the allergy and the person with the service animal are protected by the ADA, and the facility is obligated to ensure their access to its goods and services.
- If the effects of the allergy do not meet the definition of disability, the ADA does not protect the person with the allergy and the facility does not have an ADA obligation toward the person who has the allergy.

"No Pets" Policy

- "No Pets" policies may not be applied automatically to service animals. Legally, service animals are not considered "pets".
- Persons accompanied by service animals may be informed of any areas that are off-limits to service animals. This may occur when the person enters the facility and should be done in a polite and respectful manner.

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- Policies must be communicated to the person in a way that is accessible and understandable for that person.
- If a person with a service animal must have access to an area that is off-limits to service animals, it is the responsibility of the person to provide alternate stewardship for the animal, during the time that he or she is in the restricted area.

Stewardship of the Service Animal

- The service animal's handler is responsible for its stewardship (behavior, care and wellbeing).
- The handler must obey animal welfare laws (such as leash, cruelty or other regulations).
- If a service animal damages property, the handler may be held responsible for those damages, in the same way a person would be responsible for damaging property.

Incidents Involving Service Animals and First Aid

- Any incident involving a service animal, whether the service animal caused the incident or was affected by the incident, must be comprehensively documented.
- If a service animal is injured, prompt evaluation and treatment of injuries should be provided by a veterinarian.

PROCEDURE:

- Staff members should briefly visually assess the service animal's appearance and behavior. Special training is not required to make this assessment. A service animal that, in the opinion of the facility staff member, appears to be in good health and behaving in a manner that does not create a direct threat to health or safety, or a fundamental alteration to the nature of the business, will be permitted to remain in the facility.
- Service animals brought in by the patient will remain with the patient until the patient is transported to a restricted patient care area.
- Staff members should practice hand hygiene before and after direct contact with the service animal, its equipment or other items with which it has been in contact. Antimicrobial soap is not required; a waterless agent approved for use in the facility may be used.
- When the patient is transported to a restricted patient care area, the service animal will be left in the care of the patient's family member and/or responsible party (alternate stewardship), while the patient is being cared for in the restricted patient care areas.

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- When the patient is awake, the service animal may return to the recovery area (PACU) to assist the patient.
- Service animals of family members may accompany the family into all areas where they have been given access (i.e., waiting room, restrooms, recovery area (PACU) upon approval to visit patients).
- The reason for and the presence of a service animal will be documented in the medical record to demonstrate compliance with the ADA, CDC and other standards of care related to service animals.