STATE OF CONNECTICUT

OFFICE OF PROTECTION AND ADVOCACY FOR
PERSONS WITH DISABILITIES
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Testimony of the Office of Protection and Advocacy for Persons with Disabilities
Before the Committee on Public Health

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Good Morning, Senator Stillman, Representative Ritter and members of the Committee. Thank you for the opportunity to comment on **Raised Bill 971, An Act Concerning the Rights of Persons Using Assistance Dogs in Connection with a Health Condition.**

The Office of Protection and Advocacy for Persons with Disabilities (P&A) is a state agency that was established to defend the civil and human rights of persons with disabilities. Every year, P&A information and referral staff members answer calls from people with disabilities concerning the right to have service animals in places such as public buildings, private businesses, housing and healthcare facilities. When necessary, staff also provides advocacy and legal representation to assist clients who are denied access to public and private buildings or forced to get rid of a service animal because the landlord is refusing to modify a "no pets" policy.

C.G.S. §46a-44, **Access of guide and assistance dogs to modes of public transportation and in places of public accommodation** currently protects the rights people who are blind, deaf or have mobility impairments and use a guide dog or assistance animal. **Raised Bill 971** adds to persons utilizing an assistance dog in connection with a physician-documented health condition, including, but not limited to, the use of an assistance dog to detect allergens or the onset of seizures. P&A supports the expansion of rights for people with disabilities but urges the Committee to consider modifying the definitions in the statute to mirror the definition of "Service Animal" in the Americans with Disabilities Act (ADA. The ADA definition that goes into effect on March 15, 2011 is as follows:

> *Service animal* means 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 handler'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 and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

The ADA definition, based on the function assisted by the service animal, encompasses the current Connecticut statutory protections as well as the proposed protections under **Raised Bill 971.** The definition, however, does not limit the types of disabilities covered, It includes all people with disabilities as defined under the Americans with Disabilities Act. The limitation comes from the requirement that the service animal must perform a function related to the owner's disability.

Again, thank you for the opportunity to comment on **Raised Bill 971, An Act Concerning the Rights of Persons Using Assistance Dogs in Connection with a Health Condition.** The Office of Protection and Advocacy for Persons with Disabilities urges the Committee to consider using the ADA definition to expand protections for people with disabilities who use service animals.