

MEDINA HEALTHCARE SYSTEM

MEDINA REGIONAL HOSPITAL & RURAL HEALTH CLINICS POLICIES & PROCEDURES

Policy Name: Service Animals

Policy Number: MHS.008.2

PURPOSE

The purpose of this policy is to adhere to the service animal provisions of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (1990), ADA Amendments Act (2008), and Section 1557 of the Patient Protection and Affordable Care Act (2010) while preventing sources of zoonotic pathogens from infecting patients, health care workers and visitors in the facilities owned and operated by the Medina Healthcare System (the “Hospital”). Such facilities may be collectively referred to as the hospital.

POLICY

Under the Americans with Disabilities Act (“ADA”), State and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas where the public is normally allowed to go. For example, in the hospital it would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or other areas of the hospital where the service animal’s presence may compromise a sterile environment.

PROCEDURES RELATING TO PATIENTS AND VISITORS

Service animals are defined as dogs (or miniature horses) that are trained to perform tasks or do work for people with disabilities. Examples may include helping guide a person who is blind, alerting a person who is deaf, pulling a wheelchair, alerting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, or calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack.

The work or task a service animal has been trained to provide must be directly related to the person’s disability. Service animals whose sole function is to provide emotional support or comfort do not qualify as service animals under the ADA. Service animals are working animals, not pets. Exotic Animals (*e.g.*, reptiles, primates, birds, ferrets) will be excluded from all Hospital Facilities.

Service animals must be on a leash, harness, or tether at all times, with the exception of interference with a procedure or the effective performance of the task the service animal completes. The service animal must remain under the control of the handler even if the service animal is not on a tether, leash or harness. The handler must be in full control of the service animal at all times.

B. General Policy for Patients and Visitors. Generally, persons who use service animals are entitled to be accompanied by their service animals during visits to the Hospital Facilities regardless of whether the animals are working or performing services at all times, and regardless of whether healthcare staff could perform essentially the same services provided by the service animal. The person with a disability or a designated caretaker shall always be responsible for the care and management of the service animal while in the Hospital Facilities. Hospital staff shall not function as the caretaker.

MEDINA HEALTHCARE SYSTEM

MEDINA REGIONAL HOSPITAL & RURAL HEALTH CLINICS POLICIES & PROCEDURES

When it is unclear what tasks or services are being performed by the service animal, hospital staff should be cautious, as only limited inquiries are allowed of the patient or handler. Hospital staff may ask two questions.

1. Is the service animal required because of a disability? and
2. What work or task has the service animal been trained to perform?

Hospital staff cannot ask about the person's disability, require medical documentation of the disability, require a special identification card or training documentation for the service animal, or ask that the service animal demonstrate its ability to perform the work or task.

Generally, a person with a disability cannot be asked to remove his or her service animal from the premises unless:

1. The service animal is out of control and the handler does not take effective action to control it; or
2. The service animal is not housebroken.

Staff will not pet, play with or distract the animal. No charges for accommodation of the service animal will be applied.

C. Areas and Circumstances from Which Service Animals May be Excluded/ Separated from the Disabled Person:

1. When the animal poses a direct threat to the health and safety of others, this may constitute a circumstance under which a person with a disability may not be entitled to be accompanied by their service animal. A direct threat is defined as a significant risk to the health or safety of others that cannot be eliminated or mitigated by a modification of policies, practices, or procedures.

2. The Hospital may exclude or terminate the visit of any service animal if it acts in a vicious, aggressive, or threatening manner toward staff, patients or visitors by unruly behavior such as uncontrolled barking, snapping, biting, baring of teeth, growling, scratching, lack of ability to be controlled, unsanitary behavior (e.g., urinating or defecation within the Hospital Facilities) presence of signs of infection e.g., open sores, flea or tick infestation, purulent eye drainage, and other extreme behaviors, all of which are uncharacteristic of service animals. A service animal should not be excluded from the Hospital Facilities if there is evidence that the animal was unnecessarily provoked by hostile action on the part of another person. No service animal shall be excluded based upon unsubstantiated speculation that it might behave in such a way.

3. Based upon the above standard and CDC guidelines, the Hospital will generally exclude service animals from areas that meet the following criteria:

- (a) The area is required to meet environmental infection control measures to minimize the risk of disease transmission, such as operating rooms, rooms or units that require special ventilation for high-risk immunocompromised patients, and airborne infection isolation rooms; or

MEDINA HEALTHCARE SYSTEM

MEDINA REGIONAL HOSPITAL & RURAL HEALTH CLINICS POLICIES & PROCEDURES

- (b) Areas where visitors are generally not permitted to enter without taking protective infection control measures. Similar measures could be reasonably imposed on service animals for the protection of the animal (e.g., radiology).

4. The following areas may be restricted to service animals:

- (a) Operating Rooms
- (b) Radiology Rooms
- (c) Post Anesthesia Care
- (e) Labor and Delivery
- (f) Clinical Laboratories
- (g) Medication Preparation Areas
- (h) Food Preparation Areas
- (i) Central Sterile Supply/Sterile Decontamination & Processing Area
- (j) Areas used to Store Clean/Sterile Supplies

5. If a question or dispute arises about whether a service animal can accompany its owner in particular area of the Hospital Facilities, the Quality Director will assist in the decision on a case-by-case basis and must consider the following to determine whether there is any risk of harm, and if so, whether reasonable modification can mitigate the risk:

- (a) The service animal
- (b) The needs of the affected persons and patients
- (c) The healthcare situation

Such an individual assessment must rely on current medical knowledge and the best available objective scientific evidence regarding the potential for a direct threat. The risk must be real and significant.

D. Access to Areas within the Hospital Facilities:

1. Service animals may access all public areas of the Hospital Facilities provided that the animal is on a leash or otherwise restrained.

2. If a patient is being visited, staff need to obtain permission from the patient and any roommate for the animal to visit/stay. If the roommate objects on the grounds of allergy or fear of animals, alternate arrangements for the visit will need to be made. In the event staff, patients or visitors has asthma and/or an allergy to the animal, patients and visitors will be moved or reasonable modifications will be made to minimize potential harm.

3. If the disabled person is an inpatient and wishes to keep a service animal at the Hospital, arrangements must be made by the patient/designee for the animal's supervision, feeding, elimination needs and exercise.

- (a) Hospital personnel are not required to provide care, food, or special location for the animal.
- (b) If the service animal does not accompany the patient, visits may be arranged.

MEDINA HEALTHCARE SYSTEM

MEDINA REGIONAL HOSPITAL & RURAL HEALTH CLINICS POLICIES & PROCEDURES

- (c) In those instances where it is not possible to discuss arrangements for a service animal prior to admission or emergency department treatment, every effort will be made to discuss the patient's preferences at the earliest possible time.

4. If the disabled person is an outpatient, the outpatient department is to be notified upon arrival and efforts made to expedite the visit to satisfy the needs of the disabled patient and other patients who may be present.

5. Staff members who question the presence of an animal in the Hospital Facilities should contact the Quality Director. Staff should be prepared to offer reasonable assistance with service animals, excluding the supervision, care, and maintenance of the animal, which remain the responsibility of the disabled person or designated caretaker. Hospital staff will advise the owner where the animal can be taken to toilet and to exercise on the grounds of the Hospital Facilities.

6. After touching any animal, staff, and visitors should perform hand hygiene before contact with any patient or patient's environment.

7. Standard Infection control practices and environmental surface cleaning procedures will be in effect following visitation by a service animal.

E. Transportation of Service Animals:

1. Ambulance and EMT/Emergency personnel must comply with ADA provisions for allowing a service animal to accompany the disabled person during transport to the Hospital.

- (a) Planned Transport: During a planned or non-emergent transport of a disabled person the service animal must be allowed to accompany the patient.
- (b) Unplanned Emergent Transport: During an unplanned/emergency transport, due to severe health risk, there needs to be an individualized determination of whether transporting the service animal may cause a direct threat to the health of the patient due to lack of time and extra room in the ambulance to provide the patient urgent treatment. The EMS service should transport the animal or request police to take the animal to the Hospital. The Denial of Access to Service Animal Report must be completed when the service animal is not transported to the Hospital by the EMS personnel or in another vehicle at the scene.

F. Denial of Access and/or Separation of Service Animal from the Disabled Person:

1. Reasons for separation will be explained to the owner and help provided to make alternative arrangement for the care of the animal, including efforts to facilitate the transfer of the animal to a designated caretaker prior to separation. If no designated

MEDINA HEALTHCARE SYSTEM

MEDINA REGIONAL HOSPITAL & RURAL HEALTH CLINICS POLICIES & PROCEDURES

caretaker is available, the Quality Department and/or Case Management will be contacted to make temporary arrangements for the care and supervision of the animal including the use of volunteers.

2. The Quality Director or his/her designee and/or EMS will complete and sign a Denial of Access to Service Animal Report form, which identifies in detail the direct circumstances posed by the animal and the reason it is not possible to eliminate the direct threat. The form is reviewed with the owner, a signature obtained, and a copy provided to the owner of the service animal. The original form is forwarded to the Quality Department. No report is required when a service animal is excluded from one or more of the Restricted Access Areas.

- (a) If a patient requests that the form be provided in an alternative format (e.g., large print, etc.), staff will read the completed form to the person and will take reasonable action to fulfill the alternative format requested.

G. Publication/ Notification of Policy:

1. The policy will be posted on PolicyWeb and will be readily available when requested.

2. Staff education will be provided upon hire and as needed for any changes/modifications to the policy.

H. Complaints Regarding Service Animals:

1. Persons with disabilities who use service animals, and any other individuals may file a complaint with the Quality Director outlining the nature of the complaint and the pertinent details and actions they wish to take. The Hospital will maintain records of all complaints filed, and actions taken.

2. Individuals may also file complaints with state or federal agencies including the following:

U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General, Main

950 Pennsylvania Avenue, N.W.

Washington, D.C. 20530

Telephone:(202) 514-2000 /Telephone Device for the Deaf:(TTY) (800) 877-8339

<https://civilrights.justice.gov/>

Office for Civil Rights

U.S. Department of Health and Human Services

200 Independence Avenue, SW

MEDINA HEALTHCARE SYSTEM

MEDINA REGIONAL HOSPITAL & RURAL HEALTH CLINICS

POLICIES & PROCEDURES

Room 509F, HHH Building

Washington, D.C. 20201

Toll-free: (800) 368-1019 / TDD toll-free: (800) 537-7697

<https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf>

MEDINA HEALTHCARE SYSTEM

MEDINA REGIONAL HOSPITAL & RURAL HEALTH CLINICS POLICIES & PROCEDURES

DENIAL OF ACCESS TO SERVICE ANIMAL REPORT

This form is to be completed for any incident involving denial of access to a service animal, except to restricted Access Areas outlined in the Service Animals Policy. The decision to separate a patient from the service animal is to be made by the Quality Director, Infection Control Nurse, Plant Operations, Administrator on Call, or EMS Personnel in emergency situations. Denial can only be made in response to a direct threat posed by the animal and the inability of the facility to mitigate or eliminate the threat.

The completed form shall be forwarded to the Quality Director. A signed copy shall be provided to the patient or their representative.

Patient Name: _____

Date: _____

Direct Threat Posed by Animal: _____

Action Taken: _____

Signature of Medina Regional Hospital Staff Completing Report (Including Title)

Signature of Patient/Patient Representative

(Route completed form to the Quality Director)