

Podcast #1923

Service vs Assistance Animals with Todd Vaarwerk

Transcript

00:00:00 Speaker 1

Welcome to Independent Perspective, a public affairs presentation of Western New York Independent Living.

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I'm your host, Tracy LeBlanc, Chief Community Engagement Officer at Western New York Independent Living.

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There are many resources available for people with disabilities to assist with day-to-day living.

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One of those resources includes utilizing an animal to support your needs.

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But questions often arise about the difference between service animals and assistance animals and what is allowable with each.

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Joining us today to talk about the difference between service and assistance animals in the community is WNYIL's Chief Policy Officer, Todd Vaarwerk.

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Welcome to the show, Todd.

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Always a pleasure to be here.

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Todd, let's start with the basic question of what is a service animal versus what is an assistance animal?

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Okay.

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So, service animals permitted by the law are animals that are trained to perform a specific task for a person with a disability that helps them live effectively in the community.

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The biggest example of that are seeing eye dogs that help blind people move from one place to another, or hearing ear dogs that would notify a deaf person if there's noise at the door.

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It's important to remember that service animals under the law can only be dogs or miniature horses, and they must be trained to perform a task.

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Assistance animals are animals that improve the person with disability's life just by existing.

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They're not trained to do anything.

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They're just there, right?

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This is a dog that needs to be walked a couple of times a day.

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So, your life might be improved by getting out of the house because you're walking the dog twice a day.

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You might have a cat you need to feed or take care of.

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There might be a bird.

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Assistance animals can be any common household pet.

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However,

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their rights are primarily restricted only in the home.

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They don't have the same rights that service animals do in going into public spaces.

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How are the classifications determined and what training is involved with one type over the other?

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Well, a service animal needs to be trained in that specific task that we're talking about, right?

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For some service animals, they can go to a school, and the school will link an individual with a particular animal and train them together.

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Or a service animal can be self-trained to provide the service that's necessary.

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One of those examples are psychiatric service dogs.

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They're trained to do stuff when the dog smells or senses

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right, that their companion might need to take their medication or move to another spot or whatever the difficulty might be.

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Now, assistance animals, in contrast, don't really get any training.

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They should get obedience training like every other pet does, but they don't get training because their benefit is the fact, again, that they exist, that you need to walk them, that you need to feed them, that you need to put them on a schedule, right?

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They don't really need training because their legal protection only extends in the fact that they can live with you.

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And how does the law differ for service animals versus assistance animals in public spaces?

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Okay, so service animals in public spaces get the right to go anywhere that humans can go, save a place where food is prepared, like a meat packing plant or a sterile surgical theater.

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Right?

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Very limited limitations in where a service animal can go.

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They can go anywhere else.

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Assistance animals don't really have the right to travel with people.

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Right?

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They only have the right to exist at the place that you live so that your landlord can't force you not to have an assistance animal.

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But that's the only place where there's legal protection.

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Service animals have one additional protection you might not know of.

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You're only allowed to ask two questions of somebody with a service animal to prove whether or not they're a service animal.

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The first question is, is this necessary for your disability, yes or no?

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And the second is, what service is it trained to provide you?

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And the answer to that question helps somebody determine whether a dog is a service animal or an assistance animal.

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Great.

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Well, that's all the time we have for this week.

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Thank you for joining us today, Todd.

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And thank you for tuning in to Independent Perspective, a public affairs presentation of Western New York Independent Living.

00:05:00 Speaker 1

I've been your host, Tracy LeBlanc.